

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9517 of 2023

Arising Out of PS. Case No.-391 Year-2019 Thana- BELHAR District- Banka

BIPIN KUMAR DAS S/O SIKANDAR DAS Resident of Village- Sarsadda,
P.S.- Belhar, District- Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Satya Prakash Parasar,Adv.

For the Opposite Party/s : Mr.Sanjay Kumar Singh,APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 19-05-2023 Heard the learned counsel for the
petitioner and the learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Belhar P.S. Case No. 391 of 2019 registered for the offences punishable under Sections 380 and 511 of the Indian Penal Code.

The allegation is regarding the petitioner having been caught after he was trying to flee away from the house of the informant, whereupon he had disclosed that he had entered the house of the informant with intention to commit theft, however, subsequently he had managed to flee away.



The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case and he is having a clean antecedent. The learned counsel for the petitioner has further submitted that the petitioner was never present at the alleged place of occurrence and a cooked up story has been made with oblique motives and moreover, it has not been alleged that any theft was actually committed by the petitioner.

Per contra, the learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also considering the fact that neither the petitioner has been arrested from the spot nor it has been alleged that he had actually committed any theft, I deem it fit and proper to admit the petitioner herein to the



privilege of anticipatory bail.

Accordingly, the petitioner, above named, is directed to be released on anticipatory bail in the event of his arrest/surrender before the court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka in connection with Belhar P.S. Case No. 391 of 2019 subject to the conditions as stipulated under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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