

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13939 of 2023

Arising Out of PS. Case No.-263 Year-2018 Thana- KHIJARSARAI District- Gaya

ASHOK PASWAN @ JAGRAM PASWAN Son of Parichhan Paswan R/o
Mohalla- Dariyapur, P.S.- Belaganj, District- Gaya

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kr. Sinha, Advocate

For the Opposite Party/s : Mrs.Sangeeta Sharma, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 23-05-2023 Heard the learned counsel for the
petitioner and the learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Khizarsarai P.S. Case No. 263 of 2018, registered for the offences punishable under Sections 457 and 380 of the Indian Penal Code.

The allegation is regarding theft having been committed by unknown miscreants in the house of the informant.

The learned counsel for the petitioner has submitted that the petitioner is innocent and he has been falsely implicated in the present case. The learned counsel for the petitioner has further submitted that the petitioner has been made



accused in two other cases on the very same day on which he was implicated in the present case, otherwise he was having a clean antecedent. It is also submitted that the petitioner is having no complicity in the alleged occurrence, inasmuch as no stolen articles have been recovered from the house of 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 any recovery of stolen articles have been made from the house of the petitioner nor any substantial evidence has been collected so as to connect the petitioner with the alleged crime, 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 six 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 Additional Chief Judicial Magistrate-IV, Gaya in connection with Khizarsarai P.S. Case No. 263 of 2018 subject to the conditions as stipulated under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

S.Sb/sonal-

U		T	
---	--	---	--

