

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25258 of 2023

Arising Out of PS. Case No.-311 Year-2019 Thana- CHHATAPUR District- Supaul

Bablu Ram (M) age about 29 Yrs. Son of Panna Lal Ram, resident of village -
Katiaya Mahe Ward No.- 04, P.S.- Pipra, Dist.- Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumar Goutam, Advocate

For the Opposite Party/s : Mrs. Veena Kumari Jaiswal, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 07-07-2023 Heard Mr. Kumar Goutam, learned counsel
appearing on behalf of the petitioner and Mrs. Veena Kumari
Jaiswal, learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Chhatapur P.S. Case No. 311 of 2019 dated 24.12.2019
registered for the offence punishable under Sections 457, 380
and 411 of the Indian Penal Code.

3. As per the allegation made in the FIR, mobile
phone of the informant was stolen by some unknown person
which was later recovered from person namely, Nitesh Kumar.

4. Learned counsel appearing on behalf of the



petitioner submitted that petitioner is not involved in the crime of theft in which it has been alleged that mobile phone was stolen by some unknown person. Name of the petitioner has surfaced in course of investigation on the basis of confessional statement of co-accused namely, Nitesh Kumar, from whose possession the stolen mobile phone was recovered. Petitioner has clean antecedent. On these grounds, petitioner seeks to be released on bail.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Considering the nature of allegation made in the FIR. Name of the petitioner has been surfaced on the basis of confessional statement of one co-accused, namely, Nitesh Kumar in course of investigation. FIR is against unknown. Petitioner has clean antecedent. I am of the opinion that petitioner has *prima facie* made out a case to be released on bail.

7. The petitioner, above named, is directed to be released on pre-arrest bail, in the event of his arrest or 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 Addl. Chief Judicial Magistrate VI, Supaul in



connection with Chhatapur P.S. Case No. 311 of 2019 dated 24.12.2019, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

8. The Court below is directed to verify the criminal antecedent of the petitioner as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioner as what has been stated in paragraph no. 3, this order will loose its force automatically.

(Purnendu Singh, J)

Niraj/Nilmani

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