

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28128 of 2023

Arising Out of PS. Case No.-151 Year-2023 Thana- NAUBATPUR District- Patna

Dhurv Kumar @ Chanchal Kumar S/O Sri Upendra Kumar @ Upendra
Kumar Sharma R/o Village- Newa, P.S- Naubatpur, Distt.- Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Madan Mohan Prasad

For the Opposite Party/s : Mr.Abhay Kumar Roy

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 07-07-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner, in the present case, is seeking pre-arrest bail in connection with Naubatpur P.S. Case No. 151 of 2023 registered for the offences punishable under Sections 379/511/34 of the Indian Penal Code. He has no criminal antecedent as stated in paragraph '3' of the application.

As per the prosecution story, the informant has alleged that he was working as Deputy Manager (Administration) in EHD 'J' company of which contract of building bridge over the river Punpun. He alleged that on 02.03.2023, the petitioner started committing theft of the articles used in the construction and when he was caught by the guard he anyhow fled away after leaving his motorcycle.



Learned counsel for the petitioner submits that the allegation against the petitioner is false and flimsy. Learned counsel submits that nothing incriminating article has been recovered from the possession of this petitioner.

Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioner.

Having regard to the facts and circumstances of the case it is submitted that the allegation against him is false and flimsy, the motorcycle in question belongs to the petitioner and he has no criminal antecedent but has been wrongly recorded in the impugned order that the petitioner is a habitual in such kind of incidents, this Court, therefore, directs that in case of his arrest/surrender within a period of four weeks from today, let the petitioner above-named be enlarged on bail on furnishing of bail bond of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. - VI, Danapur, Patna, in connection with Naubatpur P.S. Case No. 151 of 2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal



antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajeev Ranjan Prasad, J)

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