

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30519 of 2023

Arising Out of PS. Case No.-189 Year-2022 Thana- NAGARNAUSA District- Nalanda

Sudama Paswan S/O Sulendra Paswan Residents Of Village Mahananpur
Police Station Nagarnausa District Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar Singh, Advocate

For the Opposite Party/s : Mr.Akshay Lal Pandit, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

- 2 14-07-2023 1. Heard the learned counsel for the petitioner and learned APP for the State.
2. This is an application for grant of anticipatory bail in connection with Nagarnausa P.S. Case No.189 of 2022, registered for offence under Section 379 of the IPC.
3. The allegation is regarding one black buffalo of the informant being taken away by the petitioner and one another miscreant, in the night of 01.12.2022 at about 12:30 hours.
4. 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 though the occurrence is stated to have taken place on 01.12.2022, however, the FIR has been filed belatedly only on 04.12.2022. It is also submitted that the stolen buffalo has not been recovered from the petitioner.

5. Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available on record as also considering the fact that the FIR has been filed belatedly and no recovery of buffalo has been made from the petitioner, though I deem it fit and proper to admit the petitioner to the privilege of anticipatory bail, however, subject to verification of the criminal antecedent of the petitioner as also subject to certain conditions.

6. Accordingly, the above named petitioner is directed to be enlarged on anticipatory bail, in the event of his arrest or surrender before the court below, within a period of four weeks from the



date of receipt/production of a copy of this order, on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Hilsa, Nalanda, in connection with Nagarnausa P.S. Case No.189 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

7. It is further directed that the petitioner shall mark his attendance before the Officer-in-Charge of the concerned police station on each Monday of the week at 10:30 am and in the event of two consecutive defaults, the present privilege of anticipatory bail, being granted to the petitioner herein, shall stand cancelled automatically.

(Mohit Kumar Shah, J)

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