

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33855 of 2023

Arising Out of PS. Case No.-254 Year-2023 Thana- SAHAYAK NAGAR District- Katihar

Astik Bansfore @ Ashit Bansfore @ Astik Paswan Son Of Dara Bansfore
Resident Of Village- 57 A, New Railway Colony, Ps- Katihar, Distt- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jay Ram Prasad

For the Opposite Party/s : Mrs. Asha Devi

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 24-07-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 457 and 380 of the Indian Penal Code pending in the learned court below.

3. As per the prosecution case, petitioner along with other co-accused persons have stolen the pipes of the informant worth of Rs.4,50,000/-.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He further submits that from perusal of F.I.R it transpires that informant has seen the petitioner to carry his pipes but he could not alarm any person about this occurrence and he directly



gone before the Police which creates serious doubt about the prosecution case. He submits that there is no recovery from the conscious possession of the petitioners, as the same was recovered outside the house of the petitioners. He further submits that petitioner has got no criminal antecedent as stated in para-3 of the bail application.

5. Learned APP for the State opposes for prayer for bail.

6. Considering the aforesaid facts and circumstances and the fact that pipe is not recovered from the house of the petitioner which is clear from the seizure list itself, let the petitioner, named above, in the event of his arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount to the satisfaction of the learned Court below, where the case is pending/Successor court, in connection with Katihar Town (Sahayak) P.S. Case No.254/2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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