

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44650 of 2023

Arising Out of PS. Case No.-120 Year-2022 Thana- KOTHI District- Gaya

Chhotu Kumar @ Chhotu Paswan, aged about 21 years, Male Son of Sadhu Paswan, Resident of Village-Barakala, P.S.-Kothi, District-Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sudhir Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Syed Ehteshamuddin, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 29-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends arrest in connection with Kothi P.S. Case No. 120 of 2022 dated 28.12.2022 instituted for the offence punishable under Section 379 of the Indian Penal Code.

3. The allegation against the petitioner is that he has stolen the submersible machine.

4. Learned counsel for the petitioner submits that the alleged occurrence was occurred on 21.12.2022 and the FIR was lodged on 28.12.2022 without any plausible explanation. There is no recovery from the possession of the petitioner. Petitioner has been falsely implicated in this case due to village politics. Petitioner has no criminal antecedent.



5. Learned APP opposed the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner above named be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate-1st Class, Sherghati, Gaya in connection with Kothi P.S. Case No. 120 of 2022, subject to the conditions laid down in Section 438 (2) of the Code of Criminal Procedure, 1973.

(Sunil Dutta Mishra, J)

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