

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42517 of 2023**

Arising Out of PS. Case No.-17 Year-2022 Thana- HATHUA District- Gopalganj

Rohit Kumar, Son Of Awadhesh Baitha Resident Of Village Manichapar
(Manichhaper), P.S. - Hathwa, District - Gopalganj

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Javed Aslam

For the Opposite Party/s : Mr.Md. Nazir Ansari

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

2 08-08-2023 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in anticipation of his
arrest in a case registered for the offences punishable under
Sections 457, 380 of the Indian Penal Code.

3. The learned counsel for the petitioner submits that
the petitioner has antecedent of four cases, but then, it is
submitted that prior to institution of the present F.I.R., petitioner
was a person with clean antecedent. It is next submitted that
informant alleges that on 29.01.2022 at 6.00 P.M., some
unknown persons committed theft in his house and took away
gold and silver ornaments along with Rs.80,000/- in cash.

4. The learned counsel for the petitioner submits that
the F.I.R. was against unknown and petitioner came to be
implicated based on confessional statement of Golu Kumar in
police custody, which does not have any evidentiary value. It is



next submitted that when Golu Kumar was arrested, he in his confession implicated the petitioner in all the four cases, which has been recorded at Para-3 of the anticipatory bail application. It is thus submitted that petitioner prior to institution of the present F.I.R. was a person with clean antecedent.

5. Learned A.P.P. opposes the bail application.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-XIV, Gopalganj in connection with Hathwa P. S. Case No.17 of 2022, subject to the conditions laid down under Section 438(2) of the Cr.P.C. with a condition that one of the bailors of the petitioner shall be his father Awadhesh Baitha.

7. The application stands allowed.

(Satyavrat Verma, J)

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