

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47683 of 2023

Arising Out of PS. Case No.-108 Year-2022 Thana- KARJAIN District- Supaul

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Prem Kumar @ Joytish Sharma Son Of Hare Krishana Sharma @ Bal Krishan Sharma Resident Of Village- Baisi Ward No. 09, P.S.- Karjain, Dist-Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Naresh Kumar Mehta, Advocate

For the Opposite Party/s : Mr.Gauri Shankar Gupta, APP

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 11-08-2023 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner, in the present case, is seeking pre-arrest bail in connection with Karjain P.S. Case No.108 of 2022 registered for the offences punishable under Sections 461 and 379 of the Indian Penal Code. The petitioner has got no criminal antecedent.

3. As per the prosecution story, the allegation against the petitioner is that he was involved in committing theft in the shop of the informant.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Learned counsel submits that the allegation against the



petitioner is false and baseless and he has been implicated in this case merely on suspicion without there being any cogent material. It is stated that the petitioner has no criminal antecedent.

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

6. Having regard to the vagueness of the allegations and the submission of learned counsel for the petitioner that the petitioner has been implicated on mere suspicion without there being any cogent material and that the petitioner has no criminal antecedent, this Court 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 bail bond of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1st Class, Birpur, District-Supaul in connection with Karjain P.S. Case No. 108 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

7. 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.

8. This application stands allowed.

(Rajeev Ranjan Prasad, J)

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