

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52509 of 2023

Arising Out of PS. Case No.-212 Year-2022 Thana- PURAINI District- Madhepura

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Raja Kumar Sah @ Raja Sah @ Raju Kumar, S/O Mantu Sah, R/O Village-
Bhagipur, P.S. Alamnagar, Dist. Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Rana Randhir Singh, APP

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 23-08-2023 Heard Mr. Barun Kumar Singh, learned counsel

appearing on behalf of the petitioner and the learned Additional

Public Prosecutor for the State.

2. The petitioner apprehends his arrest in connection
with Puraini P.S. Case No. 212 of 2022, registered for the
offences punishable under Sections 379 and 411 of the Indian
Penal Code.

3. Allegedly, the tractor trolley of the informant was
stolen away by co-accused persons, including the petitioner, and
in course of search, the same was found conceal near brick kiln
of one 'Ramesh Jha'.

4. Learned counsel appearing on behalf of the
petitioner submits that in fact on account of village politics, the
name of the petitioner has been implicated in this case along



with others, though there is no eyewitness to the alleged occurrence. He further submits that it is admitted fact that the alleged stolen tractor trolley was recovered from brick kiln of one 'Ramesh Jha', with whom the petitioner has no relationship. He next submits that the allegation of theft has been levelled against four persons and no specific allegation of any overt act has been alleged against him. He lastly submits that the petitioner bears fair antecedent.

5. On the other hand, learned counsel for the State opposed the pre-arrest bail application and submits that on the disclosure made by the villagers, the tractor trolley was recovered, which was stolen by the petitioner and others.

6. Regard being had to the submissions made on behalf of the parties and considering the fact that there is no eyewitness to the alleged occurrence, coupled with the fair antecedent of the petitioner, let the petitioner above named be released on 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, 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, Udakishunganj, Madhepura in connection



with Puraini P.S. Case No. 212 of 2022, subject to the conditions laid down in Section 438(2) Cr.P.C. with the further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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