

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60312 of 2023

Arising Out of PS. Case No.-422 Year-2022 Thana- GARDANIBAG District- Patna

Mitthu Sharma @ Mithu Kumar Son Of Sri Ajay Sharma Mohalla Anand
Bagh, Karpi, P.S. Karpi, Distt - Arwal

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar, Advocate

For the Opposite Party/s : Mr. Md. Aslam Ansari, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 16-10-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Gardanibagh P.S. Case No. 422 of 2022 instituted under
Section 379 of the Indian Penal Code.

3. As per the prosecution case, F.I.R. has been lodged
against unknown persons for theft of motorcycle.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. He has
falsely been implicated in this case by the confessional
statement of the co-accused. There is no recovery from the
petitioner. Except the confessional statement of the co-accused
there is no material against the petitioner. He has one criminal
antecedent in which he has been granted bail.



5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and submission of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount to each to the satisfaction of the learned Chief Judicial Magistrate, Patna in connection with Gardanibagh P.S. Case No. 422 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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