

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61593 of 2023

Arising Out of PS. Case No.-578 Year-2021 Thana- DHAKA District- East Champaran

Guddu Kumar Son of Shree Ram Shah Resident of Village - Hanuman Nagar,
Barharwa Lakhansen, P.S. - Dhaka, District - East Champaran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kundan Rathore@ Kundan Kumar, Advocate
For the Opposite Party/s : Mr.Shailendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 16-10-2023 Heard Mr. Kundan Rathore @ Kundan Kumar,

learned counsel appearing on behalf of the petitioner and Mr.

Shailendra Kumar, learned APP for the State.

2. Petitioner seeks pre-arrest bail in connection with
Dhaka P.S.Case No.578 of 2021, registered for the offences
punishable under Sections 457 & 380 of the Indian Penal Code.

3. Prosecution story, in brief, is that on 20.11.2021 at
about 06.00 A.M., the informant found the lock of his gate
broken and his cloths, ornaments, laptop etc. stolen from the
Godrej and Trunk. Further, he came to know from his cousin
that at about 12:00 A.M. accused Santosh Thakur was seen near
his house and he is confident that accused along with his
associates have stolen the articles.

4. Learned counsel appearing on behalf of the



petitioner submits that due to enmity, the petitioner has been dragged in a false case filed by the informant and nothing has been recovered from the house of the petitioner in course of the investigation. Petitioner has clean antecedent.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail to the petitioner.

6. Considering the nature of allegation as well as the fact that name of the petitioner has surfaced during the course of the investigation on the basis of confessional statement of one accused, Santosh Thakur and the confessional statement recorded in the police custody has no evidentiary value, the petitioner above named is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the learned court below within a period of four weeks from today, on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned SDJM, Sikrawana at Dhaka, Motihari in connection with Dhaka P.S.Case No.578 of 2021, subject to conditions as laid down under Section 438(2) of the Cr.P.C.

(Purnendu Singh, J)

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