

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65383 of 2022

Arising Out of PS. Case No.-488 Year-2021 Thana- BYPASS District- Patna

Raj Kishor @ Ram Kishor Paswan, Son Of Sukhari Paswan @ Sukhwari Paswan, R/O Vill.- Karmalichak, P.S.- Bypass, Distt.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Parmeshwar Vishwakarma, Advocate
For the Opposite Party/s : Mr. Arun Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 03-04-2023 Heard learned counsel for the petitioner and learned
APP for the State.

In the present case, the petitioner is apprehending his arrest in connection with Bypass P.S. Case No. 488 of 2021 registered for the alleged offences under Sections 461 and 379 of the Indian Penal Code.

As per prosecution case, a theft was committed in the pasta factory of the informant and goods worth Rs. 3 lakhs were stolen. The informant showed his suspicion that petitioner along with his associates committed theft in his factory.

The learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The petitioner has no concern with the alleged occurrence and the stolen articles and no recovery has been made from him.



The petitioner has been working as staff in the pasta factory of the informant and his salary of four months have been due, but despite several reminder, the informant did not pay the outstanding salary of the petitioner and rather lodged a false case against him. Petitioner is a labourer and except suspicion, there is nothing against him.

Learned APP opposes the prayer for anticipatory bail submitting that there is specific allegation against this petitioner, however he concedes that there is no eye-witness to the alleged occurrence.

Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the nature of allegation which is completely vague against the petitioner and also considering the fact that except for suspicion nothing has come up against the petitioner, let the petitioner, above named, in the event of their arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, furnishing bail bond of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-VI, Patna City (Patna)/ court concerned in connection with Bypass P.S. Case No. 488 of 2021, subject to the conditions mentioned



in Section 438(2) of the Cr.P.C. and the following conditions:

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

balmukund/-

U		T	
---	--	---	--

