

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72790 of 2023

Arising Out of PS. Case No.-399 Year-2022 Thana- MADHUBANI TOWN District-
Madhubani

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Aakash @ Aakash Mallik @ Koliya Son Of Kailash Mallik Village- Suratganj
Bata Chauk Ps- Madhubani Town Dist- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Subhash Kumar Jha

For the Opposite Party/s : Mr.Dilip Kumar No. 1

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 22-11-2023 Learned counsel for the petitioner is permitted to

remove the defect(s), as pointed out by the office, if any, within

a period of three weeks from today.

2. Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State.

3. The petitioner is apprehending his arrest in

connection with Madhubani Town P.S. Case No. 399 of 2022

dated 15.10.2022 registered for the offence punishable u/s 461

and 379 read with 34 of the Indian Penal Code.

4. As per the prosecution case, the petitioner and the

co-accused persons along with 3-4 unknown miscreants are

alleged to have committed theft of electronic items worth Rs.

75,792/- from the godown .

5. Learned counsel for the petitioner has submitted

that the petitioner has falsely been implicated in this case. The



petitioner is not named in the F.I.R. The name of the petitioner has sprung up on mere suspicion. No stolen electronic article has been recovered from the conscious possession of the petitioner. The petitioner is accused in one more criminal case as stated in para 3 of the bail petition.

6. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner by submitting that one electronic article is recovered from the house of the petitioner.

7. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Madhubani in connection with Madhubani Town P.S. Case No. 399 of 2022, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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