

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68770 of 2022

Arising Out of PS. Case No.-158 Year-2022 Thana- BIDUPUR District- Vaishali

RAHUL RAM S/O LATE MUNNA RAM Resident of village- Ismailpur,
P.S.- Bidupur, District- Vaishali.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Satya Prakash Sinha
For the Opposite Party/s : Mr. Rabindra Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 24-01-2023 Heard the parties.

The petitioner apprehend his arrest in a case registered for the offence punishable under sections 457, 380 of the Indian Penal Code.

The allegation against the petitioner is that he alongwith his father theft *almirah* from the house of the informant.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and have committed no offence. He has been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. There is no evidence against the petitioner to show the complicity of the petitioner in the alleged occurrence. He submits that the occurrence took place on 29.01.2022 but the FIR was lodged on 03.04.2022 i.e. after a delay of more than three months, without



giving any plausible explanation regarding the said delay, which creates a serious doubt over the genuineness of the prosecution case. Petitioner has two criminal antecedent.

Learned APP for the State opposed the prayer for anticipatory bail.

Having regard to the facts and circumstances of the case, as there is a delay in filing of the FIR, let the above named petitioner, be released on bail, in the event of his/her arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Bidupur P.S. Case No.158 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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