

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72959 of 2022

Arising Out of PS. Case No.-436 Year-2022 Thana- GRIYAK District- Nalanda

Saryu Kumar Saw S/O Girdhari Saw R/O Village- Chechai, Post Office and
Police Station- Kodarma, District- Kodarma Petitioner

Versus

The State of Bihar Opposite Party

Appearance :

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

For the Opposite Party/s : Mr. Akhileshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 29-04-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner in the present case is seeking pre-arrest
bail in connection with Giriyaak (Pawapuri) P.S. Case No. 436 of
2022 registered for the offences punishable under Section 379 of
the Indian Penal Code. He has got no criminal antecedent.

Learned counsel submits that the allegation against the
petitioner is of committing theft of the truck being Registration
Number JH12E-5945.

Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. It is submitted that the said truck was not even
present at the place of occurrence. The petitioner has got no
criminal antecedent.

Learned APP for the State has opposed the prayer for
anticipatory bail of the petitioner.



Having regard to the facts and circumstances of the case, considering that the petitioner is a truck driver and it is stated that the dafadar who is the informant of the case has falsely implicated the petitioner and the petitioner has otherwise no criminal antecedent, this Court grants bail to the petitioner above-named in the event of his arrest or surrender within a period of four weeks from today in connection with Giriyak (Pawapuri) P.S. Case No. 436 of 2022 on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bihar Sharif (Nalanda), subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

The application stands allowed.

(Rajeev Ranjan Prasad, J)

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