

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72522 of 2023

Arising Out of PS. Case No.-1889 Year-2019 Thana- BHOJPUR COMPLAINT CASE
District- Bhojpur

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Pradeep Kumar Singh S/O Late Ram Ayodhya Singh Permanent Resident Of
Village- Bhaluhipur, Ps. Ara Town, Dist. Ara, Bhojpur, Presently Resident Of
Chirachas, Ps. Chas Bokaro, Dist. Bokaro (JHARKHAND)

... .. Petitioner/s

Versus

1. The State of Bihar
2. Dilip Kumar Singh S/O Late Ram Ayodhya Singh Permanent Resident Of
Village- Bhaluhipur, Ps. Ara Town, Dist. Ara, Bhojpur

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Parijat Saurav, Advocate
For the Opposite Party/s	:	Mr. Shailendra Kumar, APP
	:	Mr. Mukesh Kant, Advocate
	:	Mr. Sanjay Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 01-12-2023 Heard learned counsel for the petitioner and learned
APP for the State assisted by learned counsel for the complainant.

2. The petitioner is apprehending his arrest in a case
registered for the offences punishable under Sections 380 of the
Indian Penal Code pending in the learned court below.

3. As per the prosecution case, three accused persons
along with 4-5 other persons broke open the lock of the house of
the complainant and also broken lockers at night. They stolen the
papers, gold and silvers from the lockers and went away on
motorcycle.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has been falsely implicated in this case.
He further submits that there is admitted property dispute between
the parties and both parties are agnates. He submits that title suit is



going on between the parties which is pending in the Sub-Judge Bhojpur as Title Suit no.167 of 2008. He further submits that petitioner having his own manufacturing unit under MSME in Bokaro and the wife of the petitioner is a teacher for the last 23 years and the two children of the petitioner are well placed and working in reputed multi-national companies and the petitioner is not in any need to commit any kind of theft. He submits that petitioner has got no criminal antecedent as stated in para-3 of the bail application.

5. Learned APP for the State as well as learned counsel for the complainant opposes the prayer for bail and submits that the petitioner forcibly entered into the house of the complainant and took articles amounting to Rs. 1,00,00,000/- (Rs. One Crore).

6. Considering the argument of the parties and perusal of the record and the fact that there is civil dispute between the parties, let the petitioner, named above, in the event of his arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount to the satisfaction of the learned Court below, where the case is pending/Successor court, in connection with Complainant Case No.1889 of 2019, subject to the condition as laid down under Section 438 (2) of the



Cr.P.C.

7. Petitioner is directed to cooperate in the trial.

(Anjani Kumar Sharan, J)

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