

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75159 of 2022

Arising Out of PS. Case No.-399 Year-2021 Thana- KHAIRA District- Saran

MD. ABID HUSSAIN Son of Zakir Hussain Resident of Village- Kadipur
Tola, Nabiganj, Nagra, Near Airtel Tower, P.S.- Kera Nagar (OP), District-
Saran at Chhapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Rana Randhir Singh, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 16-05-2023 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

This is an application for grant of anticipatory bail
in connection with Khaira (Nagra O.P.) PS case no. 399 of 2021,
registered for the offences punishable under Sections 380, 457
of the Indian Penal Code.

The allegation is regarding theft of a sum of
Rs. 25,000/-, mobile phone and some ornaments from the house
of the informant by unknown thieves in the night of
15/16.11.2021.

The learned counsel for the petitioner submits that
petitioner is innocent, has been falsely implicated in the present
case and is having a clean antecedent. The learned counsel for



the petitioner has further submitted that no recovery of the looted articles has been made from the conscious possession of the petitioner. It is also submitted that similarly situated co-accused person has already been granted bail by a co-ordinate Bench of this Court vide order dated 21.03.2023, passed in Cr. Misc. no. 69274 of 2022.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also considering the parity of the case of the petitioner with that of the co-accused person, who has already been granted the privilege of anticipatory bail by a co-ordinate Bench of this Court, I deem it fit and appropriate to admit the petitioner to the privilege of anticipatory bail.

Accordingly, the abovenamed petitioner, in the event of his arrest or surrender before the court below within a period of six weeks from the date of receipt/ production of a copy of this order, is directed to be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of



Judicial Magistrate 1st class, Saran at Chapra in connection with
Khaira (Nagra O.P.) PS case no. 399 of 2021, subject to the
conditions as laid down under Section 438(2) of Code of
Criminal Procedure.

(Mohit Kumar Shah, J)

rinkee/-

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

