

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78761 of 2023

Arising Out of PS. Case No.-199 Year-2019 Thana- RUNISAIDPUR District- Sitamarhi

Kari Kumar Raut @AMARJEET Kumar Son Of Yugeshwar Raut R/O
Village- Manik Chauk (NORTH), P.S.- Runnisaidpur, District- Sitamarhi
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha, Advocate
For the Opposite Party/s : Mr. Dilip Kumar No. 1, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 11-12-2023 Heard Mr Ashok Kumar Jha, learned counsel for the
petitioner and Mr. Dilip Kumar No.1, learned APP for the State.

2. The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 457 and 380 of the Indian Penal Code pending in the learned court below.

3. As per the prosecution case, one Mukesh Kumar Kapar was apprehended by the informant and his family members while he was committing theft of jewellery, cash Rs.8,000/- in the house of the informant. He disclosed the name of the petitioner that the petitioner fled away from the place of the occurrence.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He further submits that apprehended person disclosed the



name of the petitioner but the police has not mentioned the name of the petitioner in the column-7 of the FIR. He submits that there is no recovery from the conscious possession or from the house of the petitioner. He further submits that petitioner has got no criminal antecedent as stated in para-3 of the bail application.

5. Learned APP for the State opposes for prayer for bail.

6. Considering the aforesaid facts and circumstances and the fact that petitioner is not named in column 7 of the FIR, 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 Runnisaipur P.S. Case No.199 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

7. However, the learned Court below is directed to verify the criminal antecedent of the petitioner. If it is found that petitioner has any criminal antecedent before the present case,



then the bail bond of the petitioner shall not be accepted by the
learned Court below.

(Anjani Kumar Sharan, J)

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