

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78861 of 2023

Arising Out of PS. Case No.-531 Year-2022 Thana- MAJHAULIA District- West Champaran

ANSHU TIWARI @ ANSHU KUMAR SON OF SRI SUNIL TIWARI R/O
VILLAGE- LAL SARAIYA, P.S.- MAJHAULIA, DISTRICT- WEST
CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sagar Kumar, Adv.

For the Opposite Party/s : Mr.Khurshid Anwar, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 12-12-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Section 379 of the Indian Penal Code.

3. Allegedly, petitioner along with other accused persons is said to have committed theft of motorcycle of the informant.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. No such occurrence as alleged ever took place. He has been falsely implicated in this case due to dirty village politics. No incriminating article has been recovered from conscious possession of the petitioner. The allegation levelled against the



petitioner is not specific rather general and omnibus in nature. There is inordinate and abnormal delay of ten days in filing the the FIR without assigning any plausible and convincing reason for the said delay, which creates serious doubt about the prosecution case. Similarly situated co-accused, namely, Guljar Alam @ Guljar Dewan has been enlarged on bail by a co-ordinate bench of this court vide order dated 24.06.2023 passed in Cr. Misc. No. 20985 of 2023. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

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

6. Having regard to the facts and circumstances of the case, as similarly situated co-accused has been granted anticipatory bail, let the above named petitioner, be released on bail, in the event of his 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 Majhaulia P.S. Case No. 531 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

7. The learned Court below is directed to verify the



criminal antecedent of the petitioner and at any stage, if it is found that before filing the present case, the petitioner was involved in some other cases, his bail bond shall be cancelled by the learned Court below.

(Anjani Kumar Sharan, J)

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