

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6608 of 2024

Arising Out of PS. Case No.-153 Year-2023 Thana- AMAS District- Gaya

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Guddu Sharma Son of Shiv Ratan Sharma Resident of village- Chapardah
Sherghati, P.S.- Amas, Distt.- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vishwa Ranjan Choudhary, Advocate
For the Opposite Party/s : Mr. Damodar Prasad Tiwary, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 20-02-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

02. In the present case, the petitioner is apprehending his arrest in connection with Amas P.S. Case No. 153 of 2023, registered on 27.04.2023, for the alleged offence under Sections 379 & 411 of the Indian Penal Code.

03. As per prosecution case, co-accused Kailash Paswan was found dealing with illegal coal. When the police conducted the raid, the motorcycle of the petitioner was parked near the shop of the co-accused and it was seized along with a tractor on which the coal was loaded and the petitioner was also made accused.

04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Learned counsel further submits that the petitioner has



been made accused in this case merely on the basis that his motorcycle was parked near the shop of the co-accused Kailash Paswan. The petitioner himself runs his own shop of carpenter and his shop is situated behind the coal shop of co-accused. There is no further allegation against the petitioner and nothing incriminating has been recovered from the alleged parked motorcycle of the petitioner.

05. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

06. Having regard to the facts and circumstances and submission made on behalf of the parties and considering the completely absurd allegation against the petitioner, let the petitioner above named, in the event of his arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1st Class, Sheghati, Gaya/concerned court in connection with Amas P.S. Case No. 153 of 2023, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure and other following conditions:

(i) One of the bailors will be a close relative of



the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

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