

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10069 of 2024

Arising Out of PS. Case No.-193 Year-2023 Thana- DULHIN BAZAR District- Patna

Golu Sao @ Golu Kumar Son of Shri Bhim Sao R/o vill - Puranchak, P.S. -
Masaurhi, Distt. - Patna

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhoy Kumar Kashyap, Advocate

For the Opposite Party/s : Mr.Braj Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 22-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection with Dulhin Bazar P.S. Case No. 193 of 2023 registered under Sections 379 and 414/34 of the Indian Penal Code lodged on 05.06.2023 by the informant, A.K. Yadav.

3. As per the prosecution story, upon information that five persons are sleeping under a tree after parking bike/auto and they are in the habit of stealing vehicle, the police reached the place, intercepted them, and seized mobile/LNG Tempo. As no paper were provided, arrested. Accordingly, the FIR.

4. Learned counsel for the petitioner submits that he is not named in the FIR, his name has come in the confessional statement of Niraj Kumar. It is his further submission that a



CNG auto was recovered/seized from a petrol pump and as his house is nearer to the said petrol pump, the police implicated him. He has clean antecedent.

5. Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail stating that his name has come in the confessional statement of Niraj Kumar.

6. Taking into account the aforesaid fact, nothing has been recovered from his conscious possession or house, the recovery is from a petrol pump, his name has come in the confessional statement, FIR lodged and ultimately he will be facing the trial, this Court is inclined to grant him privilege of anticipatory bail.

7. Let the petitioner, in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned ACJM, Danapur in connection with Dulhin Bazar P.S. Case No. 193/2023, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show



his/her *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her bail bond by the Trial court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of his bail bonds;

(v) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

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