

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6722 of 2024

Arising Out of PS. Case No.-363 Year-2023 Thana- BARH District- Patna

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Upendra Prasad @ Pintu Sao S/O Singheshwar Prasad @ Sipahi Sao R/O-
Village- Natchak, P.O.-BARH, P.S.- Barh, Dist.- Patna

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Ms.Shaheen Begum, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 17-02-2024 Heard Mr.Deepak Kumar, learned counsel for the

petitioner and Ms.Shaheen Begum,learned Additional Public

Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with Barh P.S.Case No.363 of 2023,FIR dated
12.06.2023 registered for the offences punishable under Section
380 of IPC.

3. Prosecution story, in brief is that on 04.06.2023 at
04:00 PM there was marriage ceremony and Barat came from
Nath Chak and Pintu Sao came with Barat. Any how enter into
the room in ground floor his mobile No. 7739534747 who took
away gifted article in bag and fled away by motorcycle bearing
Registration No. BR01BF7387, which will be seen in CCTV
Camera.



4. Learned counsel for the petitioner submits that the petitioner has clean antecedent and he has falsely been implicated in the present case due to village politics. Further submits that from a bare perusal of the FIR it appears that the date of occurrence as alleged in the FIR is 04.06.2023 but the present FIR has been instituted on 12.06.2023 afterthought only to falsely implicated the petitioner in the present case.

5. Learned A.P.P. for the State, on the other hand, has vehemently opposed the prayer for anticipatory bail of the petitioner.

6. Considering the aforesaid facts, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.10,000 (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Barh in connection with Barh P.S.Case No.363 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions:-

(I) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court



and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(II) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(III) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his/her criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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