

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9240 of 2024

Arising Out of PS. Case No.-103 Year-2023 Thana- VALMIKINAGAR District- West
Champaran

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Nikhil Ansari @ Saif Ansari Son of Mainudin Ansari @ Mainuddin Ansari
Resident of Village- Vijaypur Valmiki Nagar, Police Station- Valmiki Nagar,
District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vijay Kr Singh No. 1, Adv.
For the Opposite Party/s : Mr.Syed Ehteshamuddin, APP

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CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 20-02-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner apprehends arrest in connection with
Valmiki Nagar PS Case No. 103 of 2023 dated 02-10-2023,
instituted under Section 379 of the IPC.

3. As per the prosecution case, F.I.R. has been lodged
against unknown accused persons, against whom there is an
allegation that they have stolen battery from the mobile tower.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in this
case. It is submitted that the FIR has been lodged against
unknown persons. The name of the petitioner has been figured
in this case by virtue of confessional statement of one Atma
Ram Madhesiya. It is submitted that during the course of



investigation, the police caught a magic van and recovered broken batteries and apprehended the owner and driver of the vehicle, and on interrogation, they disclosed the name of one Atma Ram Madhesiya. It is submitted that two bags containing batteries were recovered from the shop of said Atma Ram Madhesiya. It is submitted that nothing has been recovered from the house of the petitioner. Lastly, it is submitted that petitioner has one criminal antecedents.

5. Learned APP has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM 1st Bagaha, West Champaran in Valmiki Nagar PS Case No. 103 of 2023, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

7. The application stands allowed.

(Khatim Reza, J)

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