

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11464 of 2024

Arising Out of PS. Case No.-3 Year-2023 Thana- KOILWAR District- Bhojpur

Ajay Kumar @ Ajay Ram S/o Dina Nath Ram R/o vill - Chanpura, Koilwar,
Bhojpur, Naya Mohamad Pur, Distt. - Bhojpur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Gauri Shankar Gupta, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 23-02-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Koilwar P.S. Case No. 03/2023 Koilwar P.S. Case No. 03/2023 registered for the offences punishable under Sections 379, 411/34 of the Indian Penal Code.

3. As per prosecution case, the informant found that 50 angles of iron were stolen by cutting them which were used in fencing of a piece of land and such 30 angles were recovered from Dev Oil Mill. It is further alleged that co-accused Devdutt Kumar, the owner of the said Oil Mill, disclosed that the said materials were purchased from petitioner and others.



4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence as alleged in the FIR. It is further submitted that co-accused Devdutt Kumar has played a dirty game for hiding his own skin and falsely implicated the present petitioner in this case. Except disclosure of co-accused, there is nothing on record to connect the present petitioner with the alleged occurrence. The stolen articles were recovered from Dev Oil mill and petitioner has got no concern with the place of recovery. Petitioner bears no criminal antecedent.

5. The learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the facts and circumstances of the case, keeping in view clean antecedent of petitioner, argument advanced on behalf of both sides and also taking into consideration the material available on record, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhojpur at Ara in connection with Koilwar P.S. Case



No. 03/2023, subject to the conditions as laid down under
Section 438(2) of the Cr.P.C.

7. This application stands allowed.

(Alok Kumar Pandey, J)

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