

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22871 of 2024

Arising Out of PS. Case No.-295 Year-2023 Thana- BANIAPUR District- Saran

Deepak Kumar Mishra, Son Of Harikishor Mishra, R/O-Lulahan Ghanav,
P.S.-Baniyapur, District-Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shrinath Manjhi, Advocate

For the Opposite Party/s : Mr. Akbar Ali, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 15-04-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner apprehends his arrest in connection with Baniyapur P.S. Case No. 295 of 2023 registered for the offences punishable under Sections 461, 379 of the Indian Penal Code.

3. As per prosecution case, the petitioner along with the three other accused persons came at the door of the informant and during conversation they asked from the son of the informant about where they used to sleep and in the night the informant found that this house lock was broken and Rs. 2,00,000/- cash and ornaments of gold and silver were stolen.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated on the basis of suspicion. There is no recovery of stolen cash or ornaments



from possession of the petitioner. The allegation is general and omnibus in nature. In fact, petitioner and informant are *pattidars* and due to land dispute between the parties, the informant falsely implicated the petitioner in the present case. Petitioner has two criminal antecedent out of which in one case he is acquitted and in other case he is on bail.

5. Learned APP opposes the prayer for anticipatory bail of the petitioner.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, 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 bonds of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the concerned Court where the case is pending in connection with Baniyapur P.S. Case No. 295 of 2023, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Sunil Dutta Mishra, J)

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