

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20778 of 2024

Arising Out of PS. Case No.-10 Year-2019 Thana- KAJRAILI District- Bhagalpur

Md Kalam Son of Md. Nasir Resident of Mohalla-Irtja Hussain Lane, P.S.-
Tatarpur, Distt.-Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md.Najmul Hodda, Advocate

For the Opposite Party/s : Mr. Ram Naresh Ray, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 02-04-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Kajraili P.S. Case No. 10 of 2019 for the offence punishable under Sections 380 and 457 of of the Indian Penal Code.

3. As per the prosecution case, a theft was committed in the locked house of the informant and miscreants took away house hold articles, ornaments and mobile phone of the informant from his house. The name of the petitioner transpired in course of investigation for being involved in the occurrence.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case merely on the basis of the SIM purchased in the name of



the petitioner being used in the stolen mobile for a period of about 18 days. Learned counsel further submits that the mobile phone of the petitioner was stolen but being an illiterate person he did not lodge any report and for this reason he has been implicated in this case. Except the SIM being used in the stolen mobile phone there is no other allegation against the petitioner who stays in Delhi and does the work of tailoring. The petitioner is the sole bread earner of his family. The petitioner is having criminal antecedent of one more case but the said case was lodged for violation of COVID protocol.

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

6. Considering the aforesaid facts and circumstances of the case and considering the possibility of false implication, let the petitioner above named, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned Court concerned, Bhagalpur in connection with Kajraili P.S. Case No. 10 of 2019 subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure.



7. The application stands allowed.

(Arun Kumar Jha, J)

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