

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21822 of 2024

Arising Out of PS. Case No.-1036 Year-2023 Thana- FORBESGANJ District- Araria

Sarbar Alam @ Md. Sarbar Alam, son of Late Md. Kasim Village- Bhakohilia
Ps- Forbesganj Dist- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjeet Choubey, Advocate

For the Opposite Party/s : Mr. Anant Kumar 1, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 04-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. In this case, the petitioner is apprehending his arrest in connection with Forbesganj P.S. Case No. 1036 of 2023, registered on 20.11.2023 for the offences under Sections 457 and 380 of the Indian Penal Code.

3. As per prosecution case, a theft was committed in the house of the informant and the unknown thieves took away a large number of gold and silver ornaments, cash and other household articles from the house of the informant. The name of the petitioner transpired during investigation as one of the miscreants involved in the said occurrence.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has been falsely implicated in this case. Petitioner is not named in the FIR and he has been named in this case merely on suspicion on the basis of confessional statement of co-accused. There is no material against the petitioner regarding his involvement in the present case. Petitioner is having clean antecedent.

5. Learned APP opposes the prayer for anticipatory bail.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that allegation against the petitioner appears to be based on suspicion without any substantive material and also considering the clean antecedent of the petitioner coupled with possibility of false implication, let the petitioner above named, in the event of his arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Araria/court concerned in connection with Forbesganj P.S. Case No. 1036 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and other following



conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

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