

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21916 of 2024

Arising Out of PS. Case No.-900 Year-2021 Thana- ARARIA District- Araria

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1. Karan Kumar Mallik @ Karan Mallik S/o Narayan Mallik R/o vill - Shivpuri, ward no.16, P.S. and Distt. - Araria
 2. Deepu Kumar Mallik S/o Narayan Mallik R/o vill - Shivpuri, ward no.16, P.S. and Distt. - Araria

... .. Petitioner/s

Versus

1. The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gopal Kumar Jha, Advocate
For the Opposite Party/s : Mr. Shailendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 04-04-2024 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

2. The petitioners apprehend their arrest in connection with Araria P.S. Case No.900 of 2021 for the offences punishable under Sections 461 and 379 of the Indian Penal Code.

3. The allegations against the petitioners is that they have stolen LED TV from the counting hall of Agriculture Produce Market Committee, Araria.

4. The petitioners are quite innocent and have been falsely implicated in this case due to previous grudge. The allegations levelled against the petitioners is general and



omnibus in nature. It is further submitted that the petitioners have been made accused in this case on the confessional statement of co-accused, Chhotu Mahto which has no evidentiary value in the eye of law. Petitioner no.1 has no criminal antecedent, whereas petitioner no.2 has one criminal antecedent.

5. *Per contra*, learned APP for the State vehemently opposing the bail petition submitted that the stolen TV were recovered from the house of the petitioners, hence they do not deserve anticipatory bail.

6. Considering the facts and circumstances of case, I am not inclined to enlarge the petitioners on bail. The prayer for bail of the petitioners is hereby rejected. However, if the petitioners surrender before the learned Court below within six weeks from today and seek regular bail the learned Court below would pass order on the same day in accordance with law without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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