

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31269 of 2024

Arising Out of PS. Case No.-479 Year-2023 Thana- DUMRAO District- Buxar

Ved Prakash Yadav son of Sarju Yadav Resident of Village- Nawa Dera Bhojpur Kadim, P.S.- Dumraon (O.P. Naya Bhojpur), Dist.- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner : Mr. Anand Kumar Ojha, Advocate
For the State : Mr. Pronoti Singh, APP
For the Informant : Mr. Madhukar Anand, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 03-07-2024 Heard learned counsels for the parties.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 420 and 406 of the Indian Penal Code.

3. As per prosecution case, allegation against this petitioner is that being in-charge of a warehouse, he committed theft. It is further alleged that on physical verification of the said warehouse, it was found that 64.55 metric ton wheat and 83.73 metric ton paddy was missing from the warehouse.

4. It is submitted by learned counsel appearing on behalf of the petitioner that the petitioner was merely a night guard of the alleged warehouse and only on suspicion, he has been made an accused in this case. No one has claimed to have seen this petitioner committing any theft. As a matter of fact, peti-



tioner’s salary was due since October, 2023 and when the petitioner demanded the same, the informant has lodged this false and fabricated case against him. No incriminating article has been recovered from the conscious possession of this petitioner. Petitioner claims clean antecedent.

5. Learned A.P.P. for the State and learned counsel for the informant have vehemently opposed the prayer for grant of anticipatory bail to the petitioner.

6. Considering the aforesaid facts and circumstances, nature of accusation and clean antecedents of the petitioner, the prayer for grant of anticipatory bail to the petitioner is allowed.

7. Accordingly, in the event of arrest/surrender within a period of six weeks from today, let the above named petitioner be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Buxar, in connection with Dumraon P.S. Case No.479 of 2023, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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