

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31175 of 2024

Arising Out of PS. Case No.-29 Year-2019 Thana- KOCHAS District- Rohtas

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DINESH KUMAR S/O DHARAMRAJ RAM R/O VILLAGE-
KHAMIDAUR, TOLA, DHANIHARI, P.S- DURGAWATI, DISTT.-
KAIMUR (BHABUA).

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ramakant Ram, Adv.

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary, APP

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 19-07-2024 Heard learned counsel for the parties.

2. The petitioner apprehends his arrest in a case registered
for the offence punishable u/s 379 of the IPC.

3. As per the F.I.R., after breaking shutter of the informant's
mobile shop, some unknown miscreants stolen all the mobiles
and its parts amounting to Rs.3,00,000/-.

4. It is submitted by learned counsel for the petitioner that
petitioner is quite innocent and has committed no offence. He is
not named in the F.I.R. and has been falsely implicated in this
case due to ulterior motive. During investigation, on the basis of
C.D.R., involvement of the petitioner has been found by the
investigating agency as the petitioner was using the SIM issued
by his name in the theft mobile, which is mentioned in para-42
of the case diary. It is further submitted that the said mobile was



purchased by the wife of petitioner and the petitioner was using his SIM after installing it in the said mobile. The allegation leveled against the petitioner is not specific rather general and omnibus in nature. Petitioner has no criminal antecedent.

5. Learned APP for the State opposed the prayer for bail.

6. Having regard to the facts and circumstances of the case, since petitioner has no criminal antecedent, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Kochas P.S. Case No.29 of 2019, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

7. However, before accepting the bail bond, learned court below is directed to verify the criminal antecedent of the petitioner and if it is found that he has criminal antecedent, his bail bond shall not be accepted.

(Anjani Kumar Sharan, J)

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