

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38244 of 2024

Arising Out of PS. Case No.-179 Year-2021 Thana- SAKRI District- Madhubani

Lal Babu @ Lal Babu Yadav SON OF SRI RAJENDRA YADAV VILLAGE-
SARAMOHANPUR DIH PS- KEOTI, DIST- DARBHANGA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gopal Jha

For the Opposite Party/s : Mr. Brajendra Nath Pandey

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 03-07-2024 1. Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Sakri Police Station Case No. 179 of 2021 (corresponding to G.R. No. 1693 of 2021, dated 13.09.2021, disclosing offences under Sections 356 and 379 of the Indian Penal Code.
3. The prosecution case, as per the First Information Report, is that on 06.09.2021, when the informant was going on his motorcycle, in the meanwhile, two persons riding on another motorcycle, bearing registration no. BR-07AK-1939, arrived near the motorcycle of the informant and took away the mobile of the informant from his pocket from the moving motorcycle.



4. Learned Counsel for the petitioner submits that the petitioner is having no criminal antecedent and has falsely been implicated in this case merely on the basis of the fact that registration number of the petitioner's motorcycle was mentioned in the First Information Report. He further submits that the occurrence has taken place on 06.09.2021, whereas, the written report has been submitted after two days on 08.08.2021, but formal First Information Report has been lodged on 13.09.2021. The contention of the petitioner is that somebody else might have used the registration number of the petitioner's motorcycle.
5. Regards being had to the submissions made on behalf of the parties and taking into consideration the fact that there is delay in lodging the First Information Report and the petitioner has got no criminal antecedent, I am inclined to grant the petitioner privilege of anticipatory bail.
6. This application is, accordingly, allowed.
7. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount



each to the satisfaction of learned Chief Judicial Magistrate, Madhubani, in connection with Sakri Police Station Case No. 179 of 2021, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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