

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39203 of 2024

Arising Out of PS. Case No.-235 Year-2024 Thana- AMARPUR District- Banka

Deepak Sah S/O Lalu Sah @Satya Narayan Bihari @ Satyanarayan Sah R/O
Village- Khemnichak, P.s. Amarpur, District- Banka

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Shyama Rani, Advocate

For the Opposite Party/s : Mr.Damodar Prasad Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 26-06-2024 Heard Mrs. Shyama Rani, learned counsel for the
petitioner and the State.

2. The petitioner is apprehending arrest in connection with Amarpur P.S. Case No. 235 of 2024 instituted under Sections 379, 411 of the Indian Penal Code lodged on 6.4.2024 by the informant, Ankit Anand.

3. As per the prosecution story, the informant alleged that he got information that this petitioner is committing theft from his rice mill. As he went there, found him alongwith some associates of taking out the bags of rice and after weighing it, put the rice in the pick-up van but before it could be taken, the informant arrived and they fled away. This followed the F.I.R.

4. Learned counsel for the petitioner submits that he do not have criminal antecedent, in confusion, his name has



been cropped up and he is ready to face the trial.

5. Learned APP opposes the prayer submitting that the informant had seen the petitioner.

6. Considering the aforesaid submissions as also the fact that the petitioner do not have criminal antecedent and as undertaken by the learned counsel for the petitioner that he will cooperate in the investigation/trial, this Court is inclined to extend him the privilege of anticipatory bail.

7. Let the petitioner be released on bail, in the event of his arrest or surrender before the subordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each in connection with Amarpur P.S. Case No. 235 of 2024 to the satisfaction of learned Chief Judicial Magistrate, Banka subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also the other conditions.

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his



bail bond by the Trial Court itself;

(iii) the petitioner shall co-operate in the investigation and make himself available to the police as and when required;

(iv) the petitioner shall appear before the concerned police station every fortnight for next one year to mark his attendance;

(v) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

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