

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42517 of 2024

Arising Out of PS. Case No.-342 Year-2021 Thana- LAKHISARAI District- Lakhisarai

Amit Kumar, S/o Sanjiv Kumar, R/O Village- Sansar Pokhar, Ward No. 17,
Gandhi Tola, P.S. - Kabaiya, Dist - Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rabi Bhushan, Advocate

For the Opposite Party/s : Md. Anzarul Haque Sahara, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 10-07-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. In the present case, the petitioner is apprehending his arrest in connection with Lakhisarai (Kabaiya) P.S. Case No. 342 of 2021 for the offences under Sections 461 and 379 of the Indian Penal Code.

3. As per prosecution case, unknown thieves took away 35 cartons of Bajaj Almond Hair Oil worth Rs.1 lac from the godown of the informant. The informant named co-accused Sonu Kumar due to his suspicious activities for his involvement. The co-accused Sonu Kumar disclosed the name of this petitioner for his involvement in the occurrence.

4. The learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this



case. There is no eye witnesses to the occurrence and the name of the petitioner came up in the confessional statement of co-accused Sonu Kumar having no legal sanctity. Nothing incriminating has been recovered from the person/possession of the petitioner. On the other hand, the stolen articles have been recovered from co-accused Sintu Kumar. The petitioner has got no criminal antecedent.

5. The learned A.P.P. vehemently opposes the submission made on behalf of the petitioner.

6. Having regard to the fact and circumstances and submission made on behalf of the parties and considering the lack of substantive material to connect the petitioner with the offence as alleged and further considering the possibility of false implication and clean antecedent of the petitioner, let the petitioner above named in the event of his arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Lakhisarai, in connection with Lakhisarai (Kabaiya) P.S. Case No. 342 of 2021, subject to the condition laid down under Section 438(2) of the code of Criminal Procedure and



other following conditions:

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the below, if so required by the learned trial court.

V.K.Pandey/-

(Arun Kumar Jha, J)

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