

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47037 of 2024

Arising Out of PS. Case No.-52 Year-2024 Thana- SARAI RANJAN District- Samastipur

Md. Dulare Son of Late Jainul Haque @ Late Jainul Hak Resident of village -
Bishambarpur Ailoth, Police Station - Musarigharari, District - Samastipur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mahendra Pratap, Adv.

For the Opposite Party/s : Mr.Nand Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 24-07-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Sarairanjan P.S. Case No. 52 of 2024 registered for the offences punishable under Sections 379, 411, 34 of the IPC.

3. As per prosecution case, informant was travelling on a tempo along with his wife and son. In the way, five persons boarded on the said tempo and after some time they alighted from the said tempo. When informant checked his bag he found that lady purse was missing in which ornaments, Aadhar Card, Pan Card, Driving License were kept. On suspicion, informant returned back and after seeing the informant, aforesaid five persons started fleeing but with the help of passengers Manoj



Paswan and Md. Shadab apprehended and they disclosed the name of petitioner and others who fled away from there.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence as alleged in the FIR and he has falsely been implicated in this case. He further submits that except disclosure of apprehended co-accused, there is nothing on record to connect the present petitioner with the alleged occurrence. No incriminating or looted article has been recovered from conscious possession of the petitioner. He further submits that petitioner being labour was working with co-accused Manoj Paswan and due to dispute of payment, co-accused Manoj Kumar falsely implicated the petitioner in the present case. Petitioner bears no criminal antecedent.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the facts and circumstances of the case, keeping in view clean antecedent of petitioner, argument advanced on behalf of both sides and also taking into consideration the material available on record, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be



released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Samastipur in connection with Sarairanjan P.S. Case No. 52 of 2024, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Alok Kumar Pandey, J)

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