

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53143 of 2024

Arising Out of PS. Case No.-220 Year-2023 Thana- LODIPUR District- Bhagalpur

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Rakesh Kumar @ Rakesh Yadav Son of Ramdas Yadav Resident of Vill-
Nayatola, P.S.- Lodipur, District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Praveen Kumar, Adv.

For the Opposite Party/s : Mr.Shyameshwar Dayal, APP

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 28-08-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner apprehends his arrest in a case registered
for the offence punishable u/s 457, 380/34 of the IPC.

3. Allegation against the petitioner is that he along with
other co-accused persons committed theft in the house of the
informant.

4. It is submitted by learned counsel for the petitioner that
petitioner is quite innocent and has committed no offence. He
has been falsely implicated in this case due to grudge. No such
occurrence, in the manner as alleged, has ever taken place. The
allegation leveled against the petitioner is not specific rather
general and omnibus in nature. No incriminating article has
been recovered from the conscious physical possession of the



petitioner. There is no eye witness of the alleged theft committed by the petitioner and there is no allegation against him to tamper the witnesses. He has one criminal antecedent.

5. Learned APP for the State opposed the prayer for bail.
6. Having regard to the facts and circumstances of the case, 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 Lodipur P.S. Case No.220 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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