

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59785 of 2024

Arising Out of PS. Case No.-167 Year-2024 Thana- NAUGACHIA District- Bhagalpur

Sanni Thakur @ Saini Kumar Son of Uttam Thakur R/o Village- Baniya, P.S.-
Rangra, District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar, Advocate

For the Opposite Party/s : Mr. Arun Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 18-09-2024 Heard learned counsel for the petitioner as well as
learned APP for the State.

2. The petitioner seeks bail in anticipation of his arrest in a case registered for the offences punishable under Sections 384, 386, 379, 506 and 34 of the IPC in connection with Naugachia P.S. Case No.167 of 2024.

3. The learned counsel for the petitioner submits that petitioner is a person with clean antecedent and the informant alleges that she lives in a rented room, further on 18.05.2024 at 01:00 PM, the Anti Liquor Task Force, Naugachia came on a Scorpio vehicle which was being driven by the petitioner (private driver) along with two Home Guard Jawan to her house and forcibly kept a sack full of liquor and threatened that she will be implicated in a case of liquor if she does not give money, on which the informant gave rupees thirteen thousand to the



petitioner while the Home Guard Jawan committed theft of rupees one lakh eight thousand.

4. The learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by the informant. It is submitted that the house of the informant was raided, but nothing was found, but then out ill-will the instant FIR came to be instituted alleging that she was threatened of being implicated in a criminal case relating to liquor, if the demand of money is not met. It is further submitted that the date of occurrence is 18.05.2024 and the FIR came to be instituted on 24.05.2024 i.e. after a delay of six days which casts an aspersion on the case of the prosecution and it appears that the FIR has been instituted by way of afterthought for ulterior reason. It is also submitted that it does not appear probable that an amount of rupees one lakh eight thousand would have been in the house of the informant alleged to have been snatched by the Home Guard Jawan, it is submitted that had such a huge amount would have been looted in that event, the informant would have promptly instituted the FIR. It is also submitted that petitioner will not abscond rather will cooperate in the investigation to prove his innocence.

5. The learned APP opposes the anticipatory bail



application.

6. Considering the submissions made by the learned counsel for the petitioner and the fact that petitioner is a person with clean antecedent, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Ist, Naugachia, Bhagalpur in connection with Naugachia P.S. Case No.167 of 2024, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Satyavrat Verma, J)

Prakash Narayan

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