

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73776 of 2024

Arising Out of PS. Case No.-220 Year-2024 Thana- DAUDNAGAR District- Aurangabad

Lalu Kumar, aged about 22 years, Gender-Male, Son of Kanhai Singh @
Kanhaiya Singh, R/O Village- Soni, P.S.- Daudnagar, District- Aurangabad.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. Krishna Prasad Singh, Sr. Advocate and Mr. Bhaskar Shankar, Advocate
For the Opposite Party	:	Mr. Narendra Kumar Singh, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 23-10-2024 Heard learned senior counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Daudnagar P.S. Case No. 220 of 2024 dated 10.05.2024 registered for the offences punishable under Sections 457 and 380 of the I.P.C.

3. As per the prosecution case, on 07.05.2024 in the night at 2.00 hours, the petitioner and some unknown miscreants entered the under-constructed house of the informant and took away the *box* and *Attachie* containing gold ornaments worth Rs. 1,91,000/- and they also took a box containing clothes and gold ornaments worth Rs. 52,000/-and a bag containing Rs. 2,50,000/- which was meant for construction of the house. The



sister-in-law (*Bhawo*) of the informant had seen the petitioner taking the box.

4. Learned senior counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in the present case. It is submitted that the alleged occurrence took place on 07.05.2024 and the F.I.R. has been lodged on 10.05.2024 and the delay in lodging of the F.I.R. has not been explained by the prosecution. It is submitted that during the course of investigation, the Supervising Officer in his report has stated that both parties are the co-villagers and there is dispute between them. The co-villagers found the allegation of theft against the petitioner false hence he advised to inquire the hands of unknown thieves in this case. It is submitted that no incriminating article has been recovered from the possession of the petitioner. The petitioner is a farmer and a sole bread earner of his family and he is himself a victim in this case. The petitioner has clean antecedent as stated in paragraph no. 3 of the bail application.

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

6. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his



arrest/surrender before the learned court below within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Daudnagar, Aurangabad, in connection with Daudnagar P.S. Case No. 220 of 2024, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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