

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80587 of 2023

Arising Out of PS. Case No.-115 Year-2023 Thana- GURUA District- Gaya

BIHARI PASWAN, Male, aged about 31 years, S/O MADHU PASWAN @
MADAN PASWAN, R/o VILLAGE- USHEVA, PS. GURUA, DIST. GAYA.
... .. Petitioner/s

Versus

THE STATE OF BIHAR
... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Alok Kumar Jha, Advocate

For the Opposite Party/s : Mr.Tapeshwar Sharma, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH

ORAL ORDER

2 10-01-2024 Heard Mr. Alok Kumar Jha learned counsel

appearing on behalf of the petitioner and Mr. Tapeshwar Sharma

learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Gurua P.S. Case No. 115 of 2023 dated 10.03.2023
registered for the offence(s) punishable under Sections 457 and
380 of the Indian Penal Code.

3. As per the allegation made in the FIR, the petitioner
had stolen jewellery and cash of Rs.50,000/- of the informant.
Informant is the eye-witness.

4. Learned counsel appearing on behalf of the
petitioner submitted that allegation made in the FIR is not
supported by any of the witnesses. The informant had chased the
petitioner in public place but no one had come in her rescue.
Petitioner has clean antecedent.

5. Learned APP for the State vehemently opposed the



prayer for grant of pre-arrest bail.

6. Considering the nature of allegation and also the fact that petitioner has clean antecedent, I am of the opinion that petitioner has, prima facie, made out a case to be released on pre-arrest bail.

7. The petitioner, above named, is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned J.M 1st, Sherghati, Gaya in connection with Gurua P.S. Case No. 115 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

8. The court below is directed to verify the criminal antecedent of the petitioner and if it is found that the petitioner is involved in some other cases, as what has been stated in paragraph no.3 of the bail application, this order will automatically lose its force

(Purnendu Singh, J)

Sanjay/-

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