

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.864 of 2024

Arising Out of PS. Case No.-168 Year-2023 Thana- HUSSAINGANJ District- Siwan

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Guddu Kumar @ Gudu Kumar Son of Haricharan Chaudhary @ Haricharan
Yadav Resident of village- Tikri Tole Sahdulepur P.S Hussainganj , Dist-
Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms.Kumari Anupam, Advocate

For the Opposite Party/s : Ms.Pushpa Sinha, APP

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 24-01-2024 Heard Ms. Kumari Anupam, learned counsel

appearing on behalf of the petitioner and Ms. Pushpa Sinha,

learned APP for the State.

2. Petitioner seeks pre-arrest bail in connection with

Hussainganj P.S.Case No.168 of 2023, registered for the

offences punishable under Sections 379, 411 of the Indian Penal

Code.

3. As per the allegation made in the FIR, the petitioner

has stolen the tractor of the petitioner bearing registration

no.BR29G8 0948 Chasis No.DZYDH974639S3.

3. Ms. Kumari Anupam, learned counsel appearing on

behalf of the petitioner submits that the tractor bearing

registration No.BR29G8 0948 was never stolen by the petitioner



rather the same was found parked near Jogi Baba Asthan and due to the enmity, the name of the petitioner has been dragged in the present case.

4. Learned counsel appearing on behalf of the petitioner has vehemently opposed the prayer for pre-arrest bail of the petitioner.

5. Considering the rival submissions made on behalf of the petitioner, as well as, the fact that the tractor was parked in the public place and in the CCTV Camera, which is installed at the public place, any one can be seen passing through, that will not *prima facie* lead to assume that the petitioner has stolen the tractor, the petitioner is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the learned court below within a period of four weeks from today, on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned ACJM IX, Siwan in connection with Hussainganj P.S. Case No.168 of 2023 , subject to conditions as laid down under Section 438(2) of the Cr.P.C.

6. 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)

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