

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3149 of 2024

Arising Out of PS. Case No.-228 Year-2021 Thana- JANTA BAZAR District- Saran

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Avinash Kumar @ Avinash Kumar Baitha Son of Shivji Baitha Resident of
Village- Chainpur, P.S.- Bhagwanpur Hat, Distt.- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Md. Nazir Ansari, APP

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CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 31-01-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with
Janta Bazar P.S. Case No. 228 of 2021 dated 24.10.2021,
instituted for the offence punishable under Sections 461, 379,
411, 34 of the Indian Penal Code.

3. The allegation against the petitioner is that he has
helped the co-accused namely, Vikash Kumar in looting
garments worth Rs. 4 lakhs.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in this
case. It is further submitted that there is no allegation of any
specific overt act against the petitioner. It is further submitted
that the stolen clothes were recovered from the shop of Vikash



Kumar. It is further stated that informant has compromised the case with co-accused Vikash Kumar and filed an affidavit before the learned trial court stating therein that the stolen clothes were kept by his staff in the shop of Vikash Kumar. Lastly, it has been submitted that the petitioner has no criminal antecedents.

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

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Janta Bazar P.S. Case No. 228 of 2021, he shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned court of Judicial Magistrate, Ist Class, Saran, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Khatim Reza, J)

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