

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12896 of 2025

Arising Out of PS. Case No.-396 Year-2024 Thana- KONCH District- Gaya

Raju Miyan @ Raju Alam Son of Md. Sarwar @ Sarwar Alam Resident of
village- Belhadiya PS- Tekari District -Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Pradeep Narain Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 21-02-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

02. In the present case, the petitioner is apprehending his arrest in connection with Konch P.S Case No. 396 of 2024, registered for the alleged offences under Sections 303 (2), 317 (2), 3 (5) of the Bharatiya Nyaya Sanhita, 2023.

03. As per prosecution case, the villagers caught two thieves who were stealing the diesel pump-sets of the informant. One of the thieves fled away with Tempo leaving behind the diesel pump-sets and the petitioner is stated to be the escaped thief.

04. Learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in this case. Nothing incriminating has been recovered from the person or possession of this petitioner. The petitioner has nothing to do with the stolen articles. The petitioner is having clean antecedent.



05. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

06. Having regard to the facts and circumstances and submission made on behalf of the parties and considering the fact that no recovery has been shown from this petitioner and further considering his clean antecedent and possibility of false implication, let the petitioner above named, in the event of his arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-VIII, Gaya in connection with Konch P.S. Case No. 396 of 2024, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure and other following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

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