

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36671 of 2025

Arising Out of PS. Case No.-174 Year-2023 Thana- BEGUSARAI TOWN District- Begusarai

Sanjay Kumar, aged about 44 years, Male, Son of Sonelal Paswan, Resident of Village- Ashok Nagar Pokhriya (Ward no. 37), Police Station- Nagar, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Suruchi Anand, Advocate

For the Opposite Party/s : Dr. Indihar Kumari, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 25-06-2025 Heard Mrs. Suruchi Anand, learned counsel appearing on behalf of the petitioner and Dr. Indihar Kumari, learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection with Nagar (Lohiyanagar) P.S. Case No. 174 of 2023, registered for the offence punishable under Sections 457 and 380 of the Indian Penal Code.

3. As per the allegation made in the FIR, several household articles and electronic articles were stolen from the house of the informant by some unknown persons.

4. Learned counsel appearing on behalf of the petitioner submitted that petitioner is innocent and have falsely been implicated in the present case. Petitioner is not named in



the FIR. The petitioner has been made accused on the basis of tower location of the stolen mobile phone, however, the same has not been recovered from the possession of the petitioner. On these grounds, petitioner seeks to be released on pre-arrest bail.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Considering the rival submissions made on behalf of the parties, as well as, petitioner is not named in the FIR. The petitioner has been made accused on the basis of tower location of the stolen mobile phone, however, the same has not been recovered from the possession of the petitioner. 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/her arrest or surrender before the learned District Court within a period of four weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned District & Additional Sessions Judge- IV, Begusarai, in connection with Nagar (Lohiyanagar) P.S. Case No. 174 of 2023, subject to the



condition as laid down under Section 482(2) of the BNSS.

8. The learned District Court is directed to verify the criminal antecedent of the petitioner as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioner as what has been stated in paragraph no. 3, this order will lose its force automatically.

(Purnendu Singh, J)

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