

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38229 of 2025

Arising Out of PS. Case No.-7 Year-2025 Thana- SIMRA District- West Champaran

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Anuj Sharma @ Anuj Kumar Sharma S/o Late Punyadev Sharma @ Late
Pundev Sharma R/o Village- Bhatwaliya, P.S.- Majhauriya, Dist.- West
Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Umanath Mishra, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 23-06-2025 Heard Mr. Sanjeev Kumar, learned counsel for the

petitioner and Mr. Umanath Mishra, learned Additional Public

Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with Semra P.S. Case No. 07 of 2025, F.I.R. dated
14.01.2025 for the offences punishable under Sections 334(2)
and 303(2) of the Bhartiya Nyaya Sanhita.

3. According to prosecution case, some unknown
thieves have stolen mustard oil, fortune oil etc, worth Rs. 5.5
lakhs from the godown of the informant.

4. Learned counsel for the petitioner submits that
petitioner is innocent and he has falsely been implicated in the
present case. He further submits that the petitioner is not named



in the F.I.R and it has come during investigation that on the basis of confessional statement of the co-accused, namely, Santosh Kumar Chaudhary the name of the petitioner has been implicated in this case. He further submits that the petitioner has purchased some articles from the said Santosh Kumar Chaudhary and the said articles are the stolen one. He further submits that the petitioner has no knowledge that the articles which he has purchased from Santosh Kumar Chaudhary are pieces of stolen property.

5. Learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner on the ground that petitioner carries one criminal antecedent other than the present one and the same is pending for consideration before the competent court of law.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Bagaha, West Champaran in connection with Semra P.S. Case No. 07 of 2025, subject to the



conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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