

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56408 of 2025

Arising Out of PS. Case No.-33 Year-2023 Thana- TARABARI District- Araria

CHUNNU @ RAJJEK @ MD. RAJIK S/o MD. JALAL R/o Vill - Jhamta,
ward no. 4, P.S.- Tarabari, Distt.- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Naushad Uzzoha, Advocate

For the Opposite Party/s : Ms. Meena Singh, A.P.P

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 27-08-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending arrest in connection with Tarabari P.S. Case No. 33 of 2023 lodged on 09.04.2023, for the offence punishable under Sections 379, 411, 413 & 34 of the Indian Penal Code.

3. As per the prosecution, FIR has been lodged against three named accused persons, including the present petitioner, alleging that they have committed theft of transformer oil. It is alleged that approximately 20 litres of oil was collected in a plastic gallon, while the remaining oil was left flowing. One of the miscreants was apprehended by the villagers, whereas the other two managed to flee.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel submits that the petitioner has unnecessarily been made accused in this case and his name has figured in this case only on the basis of disclosure made by the apprehended accused person. Counsel submits that the similarly situated person who has not been apprehended from the place of occurrence and his name has also figured in this case by the apprehended person has been granted anticipatory bail by the Co-ordinate Bench of this Court *vide* order dated 24.06.2024 passed in Cr. Misc. No.36543 of 2024. Counsel further submits that the petitioner has no criminal antecedent.

5. Learned APP for the State opposes the prayer for bail of the petitioner.

6. As such, in the present facts and circumstances of this case, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the Trial Court within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) as mentioned in Section 2(1)(d) of the B.N.S.S., 2023 to the satisfaction of Chief Judicial Magistrate, Araria, in connection with Tarabari P.S. Case No. 33 of 2023, subject to the conditions



as laid down U/s 482(2) of the B.N.S.S., 2023.

7. It is further directed that the Trial Court shall verify the criminal antecedents of the petitioner, and in case it is found at any stage that the petitioner has concealed his criminal antecedent, the Trial Court shall take steps for cancellation of the petitioner’s bail bond. However, the acceptance of the bail bond in terms of the above-mentioned order shall not be delayed for the purpose of or in the name of verification.

(Dr. Anshuman, J)

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