

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70121 of 2025

Arising Out of PS. Case No.-643 Year-2022 Thana- ARARIA District- Araria

1. Md. Afroz Alam @ Afroz Alam S/o Late Md. Riyaz @ Riyazuddin R/o vill - Rampur Kodarkatti, ward no. 9, P.S.- Mahalgaon, Distt.- Araria
2. Mullajee @ Shamshul Kumar S/o Gulam Samdani R/o vill - Kakora, ward no. 7, P.S.- Mahalgaon, Distt.- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Mohammad Sufyan, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 07-10-2025 Heard learned counsel for the petitioners and the State.

2. Petitioners apprehend arrest in a case registered for the offence punishable under Section 379 of the Indian Penal Code.

3. As per prosecution case, on 23.07.2022, informant parked his truck at the petrol pump of Gulam Rassul near Rajasthani Dhaba at Kushiyaargao, Araria and slept in the truck after having dinner. On the next morning, informant found that entire 300 liters of diesel of the truck was stolen. Informant suspects that these petitioners, who were night guards on the petrol pump in question, stole diesel from his truck.



4. Learned counsel for the petitioners submits that petitioners are innocent and have committed no offence. Petitioners have been made accused only on suspicion. Police after investigation submitted final form showing that these petitioners are innocent, however, differing with the same, learned court below took cognizance against them. Petitioners claim clean antecedent.

5. Learned A.P.P. for the State vehemently opposed the bail application.

6. Considering aforesaid facts and circumstances of the case, this anticipatory bail is allowed and it is ordered that let the above named petitioners in the event of their arrest/surrender before the court below within a period of eight weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Araria in connection with Araria P. S. Case No. 643 of 2022, subject to condition as laid down under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Prabhat Kumar Singh, J)

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