

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5764 of 2015

Arising Out of PS.Case No. -5 Year- 2014 Thana -WEST CHAMPARAN GRP CASE District-
WESTCHAMPARAN(BETTIAH)

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1. Vishal Kumar son of Raj Kumar Prasad resident of Riga Road, Police
Station Sitamarhi, District- Sitamarhi, Bihar.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh, Advocate.

For the Opposite Party/s : Mr. Meena Singh(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 11-02-2015

Heard both sides.

The petitioner apprehends his arrest in Raxaul G.R.P.
P.S. Case No. 5 of 2014, registered for the offences punishable
under Sections 379 and 34 of the Indian Penal Code.

The informant alleged that one person picked up her
briefcase and handed over to another, but on alarm the person who
had picked up her briefcase was apprehended who disclosed his
name as Vijay Kumar.

Learned counsel for the petitioner submits that Vijay
Kumar made his confessional statement, but he did not disclose
the name of the petitioner. The name of the petitioner figured in
the case in course of investigation and it is alleged that the
petitioner purchased the stolen ornaments, but nothing has been

recovered from the possession of the petitioner. The petitioner has got no criminal antecedent.

Considering the facts aforesaid and the fact that the accused who were apprehended on the spot did not disclose the name of the petitioner and later on name of the petitioner figured in the case in the confessional statement of some other accused persons, but nothing has been recovered from the possession of the petitioner, he, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, is directed to be enlarged 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 Railway Magistrate, Bettiah in connection with Raxaul G.R.P. P.S. Case No. 5 of 2014, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Prabhat Kumar Jha, J.)

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