

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50540 of 2014

Arising Out of PS.Case No. -250 Year- 2014 Thana -BEGUSARAI TOWN District- BEGUSARAI

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Gaurav Kumar Son of Surendra Choudhary Resident of Village - Telia
Pokhar, P.S. - Town, District - Begusarai.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pritish Kumar Lal

For the Opposite Party/s : Mr. M.Rab(App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

2 07-05-2015 Heard learned counsel for the petitioner as well as

learned counsel for the State.

In this application for anticipatory bail the petitioner
apprehends his arrest for the offences punishable under section
379 of the I.P.C.

Allegedly, Pulser Bajaj motorcycle of the informant
was stolen away from the campus of Sultaniya Dharamshala.
During investigation on the basis of secret information the police
recovered the said motorcycle and two number plates from the
house of Ram Badan Rai from his renter's room and renter Kiran
Devi did not reply anything about the stolen motorcycle and in her
confessional statement recorded by the police she described whole
episode wherein name of the petitioner has come.

Submission is of false implication, there is no cogent and reliable evidence. There is no eye witness of the occurrence. The petitioner is not connected in any way with the recovered motorcycle and the confessional statement made before police has got no value in the eye of law and the said Kiran Devi has already been allowed bail by another Bench of this Court vide Cr. Misc. No. 22044 of 2014 and as such the petitioner deserves sympathetic consideration, to which the learned A.P.P. opposes.

Considering that besides confessional statement of co-accused there is nothing against the petitioner at present and as such the petitioner in case of his arrest or surrender within two months from the date of receipt/production of a copy of this order shall 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. C.J.M. Begusarai in Town (Begusarai) P.S. Case No. 250 of 2014, subject to the conditions as laid down in section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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