

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33857 of 2016

Arising Out of PS.Case No. -63 Year- 2016 Thana -RAJAPAKAR District- VAISHALI(HAJIPUR)

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Manoranjan Kumar Son of Kamal Rai Resident of Village- Gauspur, P.S.
Rajapakar, District Vaishali at Hajipur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Chandrasen Prasad Singh, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 24-08-2016

Heard learned counsel for the petitioner and

learned APP for the State.

Petitioner apprehends arrest in connection with
Rajapakar P.S. Case No. 63/16 for offence alleged under Sections
414/34 of the Indian Penal Code.

The prosecution case, as lodged by the
informant is that on secret information that some persons are
dealing with stolen motorcycle at Village Gauspur when informant
along with police force reached near the house of one Sunny
Kumar @ Kanhaiya in village Gauspur, seeing the police force
accused persons fled away, but on chase one Bipul Kumar was
apprehended, who disclosed the name of the petitioner and others
as his accomplice.

It has been submitted by the learned counsel

for the petitioner that the apprehended co-accused Bipul Kumar has named the petitioner to be his accomplice. He submits that nothing has been recovered from the house of the petitioner and only on the basis of the confessional statement of the co-accused Bipul Kumar name of the petitioner has surfaced and that he has no criminal history, as is evident from paragraph 3 of this petition.

However, learned APP for the State submits that the petitioner has been named by the apprehended co-accused, hence, opposes the prayer for bail.

Be that as it may, since nothing has been recovered from the house of the petitioner nor from his possession and that he has no criminal history, let petitioner, above named, in the event of his arrest or surrender before the court below within a period of eight weeks from today, 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 learned Chief Judicial Magistrate, Vaishali at Hajipur, in connection with Rajapakar P.S. Case No. 63/16, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Nilu Agrawal, J.)

Rajesh/-

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