

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48845 of 2016

Arising Out of PS.Case No. -210 Year- 2016 Thana -PHULWARI District- PATNA

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Dabloo Kumar Yadav @ Rakesh Kumar, Son of Shri Jai Prakash Narayan
Singh, Resident of Mohalla – XTTI, Mariyam Colony

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Chandra Mohan Jha

For the Opposite Party/s : Mr. Suman Kumari Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 16-12-2016 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Petitioner is apprehending his arrest in a case
registered for offences punishable under Section 395 of the Indian
Penal Code.

It has been submitted on behalf of the petitioner that the
petitioner has not been named in the First Information Report,
subsequently his name surfaced on the basis of confessional
statement of one co-accused, Md. Nehal, who in his confessional
statement, stated that he sold the looted motorcycle to the
petitioner. However, nothing has been recovered from the
possession of the petitioner and he has been falsely implicated in
this case due to enmity. The petitioner is a man of clean
antecedent.



Learned A.P.P. for the State also could not controvert this fact that save and except the confessional statement of one co-accused, there is nothing on record to implicate the petitioner in the present case.

Having heard both sides and in view of the facts and circumstances, this application is allowed. Let the petitioner, above named, in the event of his arrest or surrender before the court below within a period six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Ms. Shema Eram learned Judicial Magistrate -1st Class, Patna, in connection with Phulwarisharif P.S. Case No. 210 of 2016, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Vinod Kumar Sinha, J)

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