

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6152 of 2017

Arising Out of PS.Case No. -15 Year- 2016 Thana -BYPASS District- PATNA

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Raja Kumar, Son of Arju Prasad, Resident of Village-Chailital, P.S.-
Alamganj, Dist-Patna, at Present South of Shitla Mata Mandir Anda Dukan,
P.S.- Bypass, Dist.-Patna

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Gauri Shankar Prasad, Advocate
Mr. Raj Kumar Prasad, Advocate

For the Opposite Party : Mr. Abhay Kumar Roy (APP)

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 17-02-2017 Heard learned counsel for the petitioner and the

State.

The petitioner apprehends his arrest in Bypass P.S.

Case No. 15 of 2016 instituted for the offence under Sections 461
and 379 of the Indian Penal Code.

It has been submitted that petitioner has clean
antecedent. The First Information Report is against unknown. His
name has come in confessional statement of co-accused which is
not admissible in law.

As per written report, theft has been committed in
shop of the informant. The petitioner is not named in the written
report. Learned Sessions Judge, Patna has mentioned in the



impugned order that his name has surfaced in confessional statement of co-accused in para-4 and 5 of the case diary. It is mentioned in para-3 of bail petition that petitioner has clean antecedent. In the circumstances, prayer of the petitioner for anticipatory bail is allowed.

In the event of surrender/arrest of the petitioner, named above, within six weeks from today in connection with Bypass P.S. Case No. 15 of 2016, he shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1st Class, Patna City, Patna, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Sanjay Priya, J.)

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