IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4994 of 2017

Arising Out of PS.Case No. -169 Year- 2015 Thana -WARSALIGANJ District- NAWADA

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Munna Kumar, Son of Babu Lal Singh, Resident of village- Kandha, P.S.- Warsaliganj, District- Nawadah

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Ram Prawesh Kumar, Advocate.
For the Opposite Party/s : Mr. Ahtash Ali Khan, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 22-02-2017 Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in a case instituted for the offence under Section 379 of the Indian Penal Code.

It has been submitted that there is no recovery from the possession of the petitioner. He is not named in the First Information Report. His name has transpired in the confessional statement of co-accused Golu Kumar during investigation.

It is alleged in the written report that motorcycle of the informant was stolen during course of his exam of Political Science in Mahila College, Warisaliganj.

The learned Sessions Judge has mentioned in the impugned order that accused Golu Kumar confessed his guilt in paragraph-15 of the case diary and disclosed the name of the

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petitioner. In such circumstances besides disclosure of name by the co-accused in the confessional statement, there is no any specific overt act against the petitioner.

Considering the aforesaid facts and circumstances of the case, let the petitioner above named, 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 Additional Chief Judicial Magistrate-II, Nawadah, in connection with Warisaliganj P.S. Case No. 169 of 2015, subject to the condition that both the bailors will be the close relatives of the petitioner.

(Sanjay Priya, J)

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