

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.31850 of 2017

Arising Out of PS.Case No. -56 Year- 2017 Thana -SAMASTIPUR District- SAMASTIPUR

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1. Mukesh Kumar Son of Laxman Rai, Resident of Village-Mehshi, P.S.-
Bibhutipur, District-Samastipur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Fahad Khurshid

For the Opposite Party/s : Mr. Sri Matloob Rab

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA

ORAL ORDER

2 27-07-2017 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner apprehends his arrest in connection with a
case registered for the offences punishable under Sections 379/411
of the Indian Penal Code.

Learned counsel for the petitioner submits that neither was
stolen vehicle recovered from the possession of the petitioner nor
was he named in the First Information Report. It is submitted that
the name of the petitioner has surfaced in the confessional
statement made before the police by Pawan Kumar who was
arrested along with the motorcycle which is alleged to have been
stolen.

Considering the fact that the petitioner's name has come on
the basis of the statement of the co-accused Pawan Kumar made
before the police which has no evidentiary value and with whom



the petitioner is having previous enmity, let the petitioner abovenamed, in the event of his arrest / surrender within a period of four weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate Samastipur in connection with Samastipur (Town) P.S. Case No. 56/2017 subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Anjana Mishra, J)

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