

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52204 of 2017

Arising Out of PS.Case No. -27 Year- 2016 Thana -RAJGIR District- NALANDA
(BIHARSHARIFF)

=====

Upendra Kumar, son of Birendra Bishwakarma, rResident of village-
Marsua, Police Station- Makhdumpur (Tehta), District- Jehanabad.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Devi Das Srivastava, Advocate

For the State : Smt. Pushpa Sinha, APP

=====

**CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR
SINGH**

ORAL ORDER

3 19-12-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks pre-arrest bail in connection with
Rajgir P.S. Case No.27 of 2016 registered under Section 379 of
the Indian Penal Code.

It is submitted by the learned counsel for the petitioner
that the petitioner is neither named in the F.I.R. nor recovery of
stolen tractor was made from his possession. He submitted that the
tractor in question has already been recovered and the name of the
petitioner transpired on the basis of confessional statement of co-
accused Munna Kumar who has named altogether fourteen
persons as his accomplice. He submitted that the petitioner has got



no concern with said Munna Kumar and he being a student of B.A. Part-1 has been implicated in the case due to enmity.

Learned counsel for the State has opposed the prayer for grant of pre-arrest bail to the petitioner.

Considering the petty nature of allegation and the plea taken by the petitioner, in the event of arrest or surrender before the court below within six weeks from today, he is directed to 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-IV, Biharshariff in connection with Rajgir P.S. Case No.27 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Ashwani Kumar Singh, J)

Md.S./-

U		T	
---	--	---	--

