

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.60367 of 2017

Arising Out of PS. Case No.-28 Year-2017 Thana- UPHARA District- Aurangabad

Panda Yadav @ Amresh Kumar S/o Satyendra yadav, @ Kumar Satyendra Prasad, R/o Village- Daniyala, P.S.- Banshi, District- Arwal.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binod Kumar

For the Opposite Party/s : Mr. SRI SHAILENDRA KUMAR -1

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 13-12-2017 Heard learned counsel for the parties.

The petitioner is apprehending arrest in a case registered for the offences punishable under section 414 of the IPC.

The prosecution case is that on 29.6.2017, while the informant, SI of Police Amar Nath Singh, was conducting vehicle check, four persons on two motorcycles were intercepted. Three persons were apprehended but one escaped. The apprehended accused disclosed their names as Ambika Kumar, Kundan Kumar and Vikrant Kumar. On enquiry, they disclosed that both the motorcycles were stolen property and they are involved in stealing and selling the bikes.

It is submitted by learned counsel for the petitioner that only on the confession of co accused the petitioner has been roped in as an accused in the present case. There is no recovery



from the petitioner, hence, no offence under section 414 of the IPC is made out. Statement has been made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent.

Considering the fact that the name of the petitioner sprang up in confession of the co-accused and the statement made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent, let the petitioner above named be released on anticipatory bail in the event of arrest or surrender within 12 weeks on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned JM Ist Class, Daudnagar, Aurangabad in connection with Uphara P.S. Case No. 28 of 2017.

(Dinesh Kumar Singh, J)

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