

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52646 of 2018

Arising Out of PS.Case No. -169 Year- 2018 Thana -KISHANGANJ District- KISANGANJ

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1. Babai @ Babai Bishwas, Son of Shankar Biswas, Resident of Ward No. 7, Nepalgadh Colony, P.S. Kishanganj, District- Kishanganj.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amal Kumar Sinha

For the Opposite Party/s : Mr. Sri Arun Kumar Singh -5

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 11-09-2018 Heard learned counsel for the petitioner and learned APP for the State.

The petitioner is apprehending his arrest in a case registered under Section 379 of the Indian Penal Code.

The prosecution case, in brief, is that the vehicle of the informant was stolen away by some unknown person.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner's name has transpired in confessional statement of co-accused, Nitish Kumar. Except for this, there is no other substantial material to suggest the implication of the petitioner in the present case. The stolen motorcycle in question has not been



recovered from possession of the petitioner.

On behalf of the State, it is submitted that the petitioner has been named by co-accused in confessional statement.

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Kishanganj in connection with Kishanganj P.S. Case No. 169 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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