

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.60329 of 2017

Arising Out of PS.Case No. -370 Year- 2016 Thana -KOTWALI District- MUNGER

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1. Rishu Kumar, S/o Ravindra Kumar Sah,
2. Shubham Kumar S/o Bijendra Kumar Sah, Both R/o Village- Chhoti
Mirjapur, P.S.- Kasim Bazar, District- Munger.

.... Petitioner/s

Versus

he State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anurag Saurav

For the Opposite Party/s : Mr. Vinod Shankar Modi

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

4 31-01-2018 Heard the learned counsel for the petitioners and learned
counsel for the State.

The petitioners seek anticipatory bail in connection with
Kotwali PS case no. 370 of 2016 registered for the offences
punishable under Section 379 of the Indian Penal Code.

The case of the prosecution is that the motorcycle of the
informant was stolen by unknown persons when he had parked in
front of ATM and had gone to ATM to withdraw cash.

The learned counsel for the petitioner submits that the
petitioner is non-FIR named accused persons and, in fact, no
recovery has been made from his conscious possession or from his
house. In fact, the stolen motorcycle was recovered from one
Manish Kumar who, in his confessional statement, stated that the



petitioner was one of his accomplices. It is further submitted that in the said case in which the said Manish Kumar was apprehended, the petitioner herein has been made an accused and barring the said case, he has a clean antecedent.

Having regard to the facts and circumstances of the case, in the event of arrest or surrender before the court concerned within six weeks from the date of receipt/production a copy of this order, the petitioners above named are directed to be released on anticipatory bail on furnishing bonds of Rs. 10,000/- (Rs. Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial magistrate, Munger in connection with Munger Kotwali PS case no. 370 of 2016, subject to the conditions laid down under Section 438(2) of Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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