

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.35650 of 2018

Arising Out of PS.Case No. -31 Year- 2018 Thana -GIRIYAK District- NALANDA
(BIHARSHARIFF)

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Rajesh Kumar, Son of Ramanuj Prasad, Resident of village- Katarpur
P.S.- Katrisarai, District- Nalanda.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Prasad, Advocate

For the Opposite Party/s : Mr. Atul Chandra, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 29-06-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks pre-arrest bail in connection
with Katrisarai Giriyak P.S. Case No. 31 of 2018 registered
under Sections 419, 420, 467, 468, 471 of the Indian Penal Code
and Section 66 of the Information Technology Act.

It is submitted by the learned counsel for the
petitioner that from a perusal of the first information report
itself, it would transpire that no incriminating article was
recovered from possession of the petitioner. He has been made



accused in this case simply because his motorcycle was being used by co-accused Raj Kumar from whom two mobile sets having SIM card in name of someone else were recovered.

Learned counsel for the State opposed the application for grant of pre-arrest bail to the petitioner. However, he admitted that as far as the petitioner is concerned, there is no recovery from his possession.

In view of the submission made above, in the event of arrest or surrender in the court below within six weeks from today, the petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-1st, Bihar Sharif, Nalanda in connection with Katrisarai Giriyak P.S. Case No. 31 of 2018 subject to the conditions as laid down under Section 438(2) Cr. P.C.

(Ashwani Kumar Singh, J.)

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