

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.65945 of 2018

Arising Out of PS. Case No.-21 Year-2018 Thana- JAKKANPUR District- Patna

Rahul Kumar @ Rahul Singh, S/o Sri Vijay Singh @ Ranvijay Singh, R/m-
Mithapur, B- Area, P.S.- Jakkanpur, Distt- Patna.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Kumar Sinha

For the Opposite Party/s : Mr.Parmanand Prasad

**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

2 21-12-2018 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Jakkanpur P.S. Case no. 21 of 2018 registered under
Section 392 of the Indian Penal Code.

Four unknown miscreants are said to have looted
two mobiles and cash of Rs.6000/- of the informant on the way
to his house. Looted mobile was recovered from the possession
of the accused Golu Kumar @ Jaiky who in his confessional
statement named the petitioner as one of his accomplices in the
occurrence.

It is submitted by learned counsel for the petitioner
that the petitioner is quite innocent. He has committed no
offence. He has been falsely implicated in the case by the
apprehended accused Golu Kumar @ Jaiky. There is nothing in



the record indicating the complicity of the petitioner in the occurrence barring the confessional statement of Golu Kumar @ Jaiky which has no evidentiary value in the eye of law. Petitioner was not apprehended on the spot. No incriminating article has been recovered from the conscious physical possession of the petitioner. Golu Kumar @ Jaiky who was arrested and from whose possession one looted mobile was recovered has been enlarged on bail by a co-ordinate Bench of this Court vide order dated 11.05.2018 passed in Cr. Misc. No. 28822 of 2018.

In the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-I, Patna in connection with Jakkanpur P.S. Case No. 21 of 2018, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Prakash Chandra Jaiswal, J)

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