

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.61861 of 2018

Arising Out of PS. Case No.-123 Year-2018 Thana- RAJGIR District- Nalanda

Ravikant Ravidas @ Ravikant @ Guddu, Son of Krishna Ravidas Resident of
village Ranipur, P.S. Islampur, District-Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sada Nand Roy, Adv.

For the Opposite Party/s : Sri Satyendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 06-10-2018 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner is apprehending arrest in a case registered
for the offences punishable under Sections 379 and 411 of the
Indian Penal Code.

The prosecution case got initiated on the basis of written
report submitted by one Pappu Kumar to the Station House
Officer, Rajgir Police Station is to the effect that after unloading
the iron made grill from his tractor bearing Tractor No. BR-21-
GA-6615, the informant parked his tractor on 23.05.2018 about
6.30 P.M. near Mahadeva Powergrid which is adjacent to the
house of one Pradeep Kumar and went to roam around Rajgir fair
and visit theater and when he returned back at 5.00 A.M. on
24.05.2018 the tractor was found missing. It is alleged that during
search, the informant saw his tractor being driven by one person



while five persons were sitting over it. The informant and police force on chase caught one person while others escaped from the scene, who disclosed his name as Sanjiv Kumar @ Kalia @ Karu, who further disclosed the name of other persons escaped from the scene, including the petitioner.

It is submitted by learned counsel for the petitioner that admittedly the tractor has not been recovered from the possession of the petitioner. The name of the petitioner sprang up on the confessional statement of apprehended co-accused persons. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

It is submitted by learned APP for the State that the petitioner has been named by apprehended accused.

Considering the fact that the name of the petitioner sprang up in the confession of co-accused and the recovery has not been made from the petitioner, coupled with statement made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 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 CJM, Nalanda at Biharsharif, in



connection with Rajgir P.S. Case No.123 of 2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

The bail bonds of the petitioner shall be accepted by the learned court below on filing of the affidavit to the effect that he will co-operate during investigation. The said affidavit will be transmitted to the concerned I.O. The non-cooperation in the investigation will give liberty to the learned court below to cancel the bail bond of the petitioner.

(Dinesh Kumar Singh, J)

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