

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.69918 of 2018

Arising Out of PS. Case No.-2 Year-2017 Thana- FATUA District- Patna

Raushan Kumar, Son of Sanjay Yadav alias Sanjay Kumar Singh, Resident of
Village- Madhopur, P.S.- Bakhtiyarpur, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar

For the Opposite Party/s : Mr. Smt. Anita Kumari

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 05-12-2018 Heard learned counsels for the petitioner and the
State.

The petitioner is apprehending arrest in a case registered
for the offences punishable under Section 394 of the IPC.

The prosecution case, as per the written report of Ram
Prasidh, dated 04.01.2017, submitted to the Station House,
Fatuha Police Station, is to the effect that unknown criminals
robbed Rs. 1,82,000/- from the petroleum dealership of the
informant. The name of the petitioner sprang up on the
confession of co-accused Kanhaiya Kumar, who named 8
persons including the petitioner.

It is submitted by learned counsel for the petitioner that no
recovery has been made from the petitioner. The petitioner is not
named in the FIR, his name sprang up on the confession of co-



accused. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent. Moreover, after perusing the case diary, other similarly situated accused Kunal Kumar has been granted bail by a co-ordinate Bench of this Court, vide Cr. Misc. No. 53637 of 2017.

Considering the fact that the name of the petitioner sprang up on the confession of co-accused and no recovery has been made from the petitioner, coupled with the 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/surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Addl. Chief Judicial Magistrate, Vth Patna City, Patna in connection with Fatuha P.S. Case No. 02 of 2017, subject to the condition as laid down under Section 438(2) of the Cr. P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

U		T	
---	--	---	--

