

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1503 of 2018

Arising Out of PS. Case No.-130 Year-2017 Thana- SARE District- Nalanda

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Kundan Kumar, S/o Vijay Prasad, Resident of Village- Akbarpur, P.S. Asthawan, District Nalanda.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raj Bansh Dubey

For the Opposite Party/s : Smt. Pronati Singh

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

3 31-01-2018 Heard learned counsel for the petitioner and learned APP for the State.

The petitioner seeks bail in connection with Sare P.S. Case No. 130 of 2017 registered under Sections 414 and 401 of the Indian Penal Code.

Two motorcycles are said to have been recovered from the rented house of the petitioner.

It is submitted by the learned counsel for the petitioner that no incriminating article has been recovered from his conscious physical possession. Out of the aforesaid two motorcycles, one is hailing to the petitioner. The aforesaid rented house of the petitioner is inhabited by several other tenants and owner of the house. Earlier, the petitioner had no



criminal antecedent, but after the case under hand, the petitioner has been falsely remanded in two other cases. There is nothing in the case diary indicating the complicity of the petitioner in the occurrence barring his confessional statement which has no evidentiary value in the eye of law. The petitioner has been languishing in custody since 2.10.2017.

In the facts and circumstances of the case, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M. Nalanda at Biharsharif in connection with Sare P.S. Case No. 130 of 2017.

(Prakash Chandra Jaiswal, J)

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