

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2282 of 2019

Arising Out of PS. Case No.-250 Year-2018 Thana- BALIYA District- Begusarai

Vishal Raj @ Raja @ Sadar, aged 21 year(M), Son of Late Naresh Ray
Resident of village - Nauranga kashimpur, Police Station - Baliya, District -
Begusarai

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Uday Chand Prasad

For the Opposite Party/s : Mr. Sanjay Kumar Sharma (App236)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 06-02-2019 Heard learned Counsels for the petitioner and
learned APP for the State.

The petitioner is apprehending arrest in a case registered
for the offences punishable under Sections 401, 413, 414 and
411 of the Indian Penal Code and Sections 25(1-B)a and 26 of
the Arms Act.

The prosecution case as per the self statement of S.H.O.,
Sunil Kumar, Baliya Police Station at 10.30 A.M., on
07.09.2018 is to the effect that on 07.09.2018, at 2.10., A.M.,
the informant received a secret information that some
miscreants are assembling to commit theft, consequently a raid
was laid, and on seeing the police party, they started fleeing
away but on chase being made, one person was apprehended,



who disclosed his name as Raushan Choudhary. On search being made, from the possession of apprehended co-accused, Raushan Choudhary, 9 live catridges, one motorcycle and one mobile phone were recovered. In his confession statement, he disclosed the name of the accused persons including the petitioner for involvement in the said occurrence. He further confessed his guilt of commission of theft of electric articles.

It is submitted by learned counsel for the petitioner the name of the petitioner sprang up on the confessional statement of apprehended co-accused Raushan Choudhary and there is no recovery from the possession of the petitioner. 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 name of the petitioner sprang up on the confessional statement of Raushan Choudhary.

Considering the suspicious nature of accusation, no recovery being 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, Begusarai** in connection with **Baliya P.S. Case No.250 of 2018**, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

Deepak/Rahul/-

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