

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6593 of 2019

Arising Out of PS. Case No.-2 Year-2017 Thana- SINGHESHWAR District- Madhepura

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Munna Kumar @ Munna Yadav, aged about 23 years, Gender-Male, Son of Raj Kishor Yadav, Resident of Village-Bhawanipur, Police Station-Singheshwar, District- Madhepura.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr.Shailendra Kumar Singh, Advocate.
For the Opposite Party : Mr.Sucheta Yadav, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 06-02-2019 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is apprehending his arrest in a case for
the offence registered under Section 379 of the IPC.

The prosecution story, in brief, is that in the mid-night
of 12-13 December, 2016 some unknown thief has committed
theft of the Tractor of the informant Tejo Pandit bearing
Registration No. BR-43-G-3898, Engine No. NJWH)3646,
Chassis No. NJWH03646, Model 475 DI Bhumi Putra Red
colour of Mahindra Company from the Darwaja of the
informant. It is further alleged that the informant searched his
Tractor but till date his Tractor could not be traced out.

It has been submitted by learned counsel for the
petitioner that the petitioner has falsely been implicated in the



present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner is not named in the F.I.R. There is no recovery of any stolen property from possession of the petitioner. His name has come in the present case merely on the basis of confessional statement of co-accused. There is no other substantive evidence to suggest the implication of the petitioner in the present case.

On behalf of the learned counsel for the State, it has been submitted that the petitioner is not named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, in the event of arrest or surrender before the learned court below within a period of six weeks from today, be released on anticipatory 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 C.J.M. Madhepura, in connection with Singheshwar P.S. Case No. 02/2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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