

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10050 of 2019

Arising Out of PS. Case No.-214 Year-2018 Thana- GOPALPUR District- Patna

Manoj Prasad @ Manoj Kumar, aged about 50 years, Gender-M, Son of late Jehal Saw, Resident of Village-Sampatchak, P.S.-Gopalpur, Distt-Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Kumar Sinha
For the Opposite Party/s : Mr.Arun Kumar Singh

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 20-02-2019 Heard learned counsels for the petitioner and the State.

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

The prosecution case, as per the written report of Ravi Bhushan Singh, dated 29.08.2018, submitted to the Station House Officer, Gopalpur Police Station, is to the effect that the informant was working through the medium of Supreme company and used to conduct the work of electrification. It is alleged that on 20.08.2018, one bundle of electric wire, of length equivalent to 8 KM distance was stolen, leading to registration of FIR against unknown persons. Subsequently, from the C.C.T.V. footage, it transpired that said wire was being stolen by 8 to 10 persons on Tata A/C vehicle, which belongs to



one Aditya Raj. The name of the petitioner sprang up on the confession of apprehended co-accused Aryan Kumar.

Learned APP submits that recovery has not been made from the possession of the petitioner and only on the basis of confessional statement of apprehended co-accused person, the petitioner has been roped in the present case. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP submits that the name of the petitioner sprang up on the confessional statement of apprehended co-accused person.

Considering the fact that recovery has not been made from the possession of the petitioner and the material on record, particularly the impugned order does not suggest the presence of the petitioner in the C.C.T.V. footage, 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 ACJM, Patna in connection with



Gopalpur P.S. Case No. 214 of 2018, subject to the condition as
laid down under Section 438(2) of the Cr. P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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