

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12918 of 2019**

Arising Out of PS. Case No.-366 Year-2017 Thana- MASHRAK District- Saran

RAJU KUMAR @ VISHAL KUMAR S/o Raj Bansi Prasad village-Magahi,
P.O-Gopalpur, P.S-Basantpur, Distt.-Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Basant Kumar Singh, Adv.

For the Opposite Party/s : Mr.Gulnar Begum, APP

**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER**

2 05-03-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is languishing in custody since 05.11.2018 in a case registered for the offence punishable under Section 379 of the Indian Penal Code.

The prosecution case is that on 23.12.2017 at 8.30 P.M., the informant parked his tractor in front of the house of his maternal-grand-father, but on 24.12.2017 at 5.30 A.M., he found his tractor missing, leading to registration of FIR against unknown. During investigation, co-accused Vikash Kumar confessed his guilt and named the petitioner also.

It is submitted by learned counsel for the petitioner that apart from the confessional statement of co-accused, no plausible material has been collected against the petitioner. It is further submitted that there is no recovery from the



petitioner and the investigation has already been concluded. Though the petitioner is accused in two other cases apart from the present case, but in these cases he has been named only on the basis of confessional statement of co-accused.

Learned APP for the State submits that the name of the petitioner sprang up on the basis of confessional statement of co-accused Vikash Kumar.

Considering the aforesaid fact that the investigation has already been concluded and name of the petitioner sprang up on the basis of confessional statement of co-accused, let the above named petitioner be released on bail, on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned ACJM-VI, Saran at Chapra in connection with Masrak P.S. Case No. 366 of 2017.

Since the petitioner is having serious criminal antecedent, learned court below will be at liberty to cancel the bail bonds of the petitioner, if he defaults for two consecutive occasions or gets involved in some serious nature of offence.

(Dinesh Kumar Singh, J)

Ashwini/-

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

