

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21749 of 2019**

Arising Out of PS. Case No.-159 Year-2018 Thana- HULASGANJ District- Jehanabad

RESHAV KUMAR Son of Sri Neeraj Singh @ Neeraj Kumar Singh Resident
of Village - Karhara, P.S.- Muffasil, Distt - Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nitya Nand Neeraj
For the Opposite Party/s : Mr.Abhay Kumar

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

2 08-04-2019 Heard learned counsels for the parties.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 379 and 356/34 of the IPC.

The prosecution case is that on 21.8.2018, Tata Zest vehicle of the informant was robbed, leading to registration of FIR against Chhotu Himanshu and five unknown. During investigation, said Chhotu Himanshu confessed his guilt and named the petitioner as participant in the commission of offence. The vehicle in question was subsequently recovered, for which a separate case was lodged.

It is submitted by learned counsel for the petitioner that the recovery has not been made from the possession of the petitioner and except the confession of co-accused Chhotu



Himanshu, no material has been collected by the investigating agency though the petitioner is accused in one other case under Sections 413,414,399 and 402 of the IPC. It is further submitted that the investigation has not been concluded.

Learned APP submits that the name of the petitioner sprang up in the confession of co-accused as the person who participated in the commission of offence.

Considering the fact that no recovery was made from the possession of the petitioner, let the petitioner above named be released on anticipatory bail till the conclusion of investigation in the event of arrest or surrender within 12 weeks on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned SDJM, Jehanabad in connection with Hulasganj P.S. Case No.159 of 2018 subject to the conditions laid down in Section 438(2) of the Cr.P.C.

It is made clear that the learned Court below will cancel the bail bonds of the petitioner in case the petitioner does not cooperate in the investigation.

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(Dinesh Kumar Singh, J)

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