

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35413 of 2019

Arising Out of PS. Case No.-30 Year-2019 Thana- DHAMDAHA District- Purnia

SURAJ KUMAR Son of Radhe Sah Resident of Village-Udakishanganj Tola
Paharpatti, P.S.-Udakishanganj, District-Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Prawesh Kumar
For the Opposite Party/s : Mr.Rajeev Nayan(App 231)

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 30-05-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 413 and 414 of the Indian Penal Code.

The prosecution case in brief is that the informant during course of patrolling duty, saw that three persons riding on a motorcycle were coming, then informant indicated them to stop but they started to flee but on chase, one of the motorcycle rider apprehended by the informant whereas two of them fled away from the place of occurrence. Apprehended accused could not produce any valid paper regarding the ownership of the motorcycle and further disclosed the name of his two associates, namely, Pintu Kumar and Suraj Kumar

The contention of the petitioner is that the name of the petitioner has come on the basis of the confessional statement of



co-accused. It is further submitted that there is no recovery from the possession of the petitioner and petitioner has clean antecedent. It is further submitted that the petitioner is not the owner of the motorcycle and is in no way connected with the co-accused who has been arrest on the spot.

Considering the facts aforesaid, let the petitioner above named, in the event of his arrest or surrender before the Court below within a period of six weeks from the date of receipt of the order, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Purnea/successor Court in connection with Dhamdaha P.S.Case No. 30 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the petitioner shall fully cooperate with the investigation and trial of the case, failing which the court below shall be at liberty to cancel the bail bonds of the petitioner.

(Prabhat Kumar Singh, J)

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