

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54919 of 2018

Arising Out of PS. Case No.-279 Year-2017 Thana- NAYA RAM NAGAR District- Munger

Nitesh Kumar @ Laden S/o Bishundeo Prasad Yadav, R/o Vill.- Hasanganj,
P.S.- Kasim Bazar, District- Munger. Petitioner

Versus

The State Of Bihar Opposite Party

Appearance :

For the Petitioner/s : Mr.Pankaj Kumar Sinha

For the Opposite Party/s : Mr.Sri Shyameshwar Dayal

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

4 15-01-2019 Heard learned counsel for the petitioner. No one appears on behalf of the State.

The petitioner apprehends his arrest in connection with Naya Ram Nagar P. S. Case No. 279 of 2017 registered for the offences punishable under Sections 457 and 380 of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner is not named in the FIR and nothing has been recovered from his possession. It is submitted that when the co-accused Vijay Kumar Chaudhary was arrested on the basis of SIM and the mobile set of LYF company which was also allegedly stolen from the house in question, the said Vijay Kumar Chauhdary disclosed the name of the petitioner and alleged that the petitioner was in possession of the said SIM and said mobile phone.



Learned counsel submits that the name of the petitioner has transpired on the basis of statement of co-accused.

In the facts and circumstance of the case wherein it appears that the petitioner is not named in the FIR and in course of investigation his name has transpired on the basis of confessional statement of co-accused, the petitioner above named, in case of his arrest or surrender within four weeks from the date of receipt/production of a copy of this order, is directed to be released on bail on execution of bail bonds of Rs. 15,000/- (fifteen thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M. Ist, Munger in connection with Naya Ramnagar P. S. Case No. 279 of 2017, subject to the condition that the petitioner shall join the investigation within a period of three weeks from today by reporting to the Investigating Officer and shall co-operate in the matter of investigation and it will be in addition to the conditions prescribed under Section 438 (2) of the Cr.P.C.

(Rajeev Ranjan Prasad, J)

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