

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46592 of 2019**

Arising Out of PS. Case No.-195 Year-2018 Thana- RAJAPAKAR District- Vaishali

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Ravi Kumar Son of Bhola Rai Resident of Village - Sarmastpur, Bishunpur
Sad Urf Bakarpur, Ward no. 13, P.S.- Rajapakar, Distt - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satya Prakash Sinha, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 29-07-2019 Heard learned counsel for the petitioner and learned
APP representing the State.

The petitioner apprehends his arrest in connection
with Rajapakar P.S. Case No. 195 of 2018, registered under
Sections 379/414 the Indian Penal Code.

The allegation against the petitioner, as per the FIR, is
that in the night of 29.10.2018, at about 11:30 hours, his Hero
Super Splender Motorcycle bearing Registration No. BR 31W
3555 was stolen by unknown persons from his shop. The name
of the petitioner has transpired on the basis of confessional
statement of co-accused, who has been subsequently arrested.

Learned counsel for the petitioner submits that the
petitioner is innocent, having no criminal antecedent. He further
submits that motorcycle has been recovered from the possession
of one Uday Pratap Singh @ Uday, who disclosed the name of
the petitioner and others. He further submits that similarly



situated co-accused, Ajit Kumar, has already been granted a bail by this Court, passed on 23.07.2019, in Cr. Misc. No. 29121 of 2019.

After having heard learned counsel for the parties and taking into consideration the fact that the name of the petitioner has transpired on the basis of statement made by co-accused and no recovery of stolen motorcycle has been made from the possession of the petitioner and similarly situated co-accused has already been granted bail, I am inclined to grant anticipatory bail to the petitioner.

This application is, accordingly, allowed.

Let the petitioner, abovenamed, in the event of arrest or surrender before the court below within a period of four weeks from today, be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Rajapakar P.S. Case No. 195 of 2018; subject to condition as laid down hereinabove and under Section 438(2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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