

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1849 of 2019

Arising Out of PS. Case No.-509 Year-2018 Thana- PATRAKARNAGAR District- Patna

=====

Arun Kumar @ Arun Rai son of Vinesh Prasad Singh @ Binesh Singh at present residing in Mohalla-Glai No. 18, Munna Chak, P.S.-Patrakar Nagar, District-Patna.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr.Mukund Mohan Jha

For the Respondent/s : Mr.Smt Pushpa Sinha

=====

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 15-01-2019 Heard learned counsel for the petitioner and the learned counsel appearing on behalf of the State.

Petitioner is languishing in judicial custody since 20.09.2018 in connection with Patrakar Nagar P.S. Case No. 509 of 2018 for offences punishable under Section 379 of the Indian Penal Code.

The prosecution case as lodged by the informant is that when he had gone to meet his uncle in a motorcycle in the hospital after returning he found his motorcycle stolen.

It has been submitted by the learned counsel for the petitioner that he is innocent and has been falsely implicated in the aforesaid case. He submits that the stolen motorcycle has not been recovered from the possession of the petitioner and it is only on the confessional statement of co-accused Arun Kumar



Thakur before the police which has no evidentiary value in the eye of law that his name surfaced. He submits that charge-sheet has already been submitted and there is no allegation of tampering of the prosecution witnesses.

However, learned APP for the State opposes the prayer for bail stating therein that the petitioner does not have a clean antecedent and two more cases although of different nature is pending against him.

Considering the facts and circumstances of the case and materials on record, let the petitioner above named be enlarged on bail on furnishing bail bond of Rs. 10,000 (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Patna in connection with Patrakar Nagar P.S. Case No. 509 of 2018, subject to the condition that if the petitioner indulges in an offence of similar nature in future, the prosecution will be at liberty to move the learned Court below for cancellation of his bail bonds.

(Nilu Agrawal, J)

devendra/-

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

