

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.76239 of 2018

Arising Out of PS. Case No.-226 Year-2017 Thana- KUDRA District- Bhabhua (Kaimur)

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Ajay Bind, Son of Mewalal Bind @ Mewalal Vind, Resident of Village-
Balipur, P.S.- Kudra, District- Kaimur at Bhabua.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Parwej Khan

For the Opposite Party/s : Smt. Reena Sinha

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 17-01-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 414 and 34 of the I.P.C.

The prosecution case is with regard to theft of submersible pump, raid was laid and it was recovered from the houses of Shyam Bihari Bind and Tuntun Bind. It is further alleged that on the confessional statement of Shyam Bihari Bind the name of the petitioner sprang up.

It is submitted by the learned counsel for the petitioner that the recovery has not been made from conscious physical possession of the petitioner. A statement has been made paragraph 3 of the petition that the petitioner is not having any



criminal antecedent.

It is submitted by the learned APP for the State that the name of the petitioner sprang up on the confessional statement of co-accused Shyam Bihari Bind.

Considering the accusation based on confessional statement of co-accused Shyam Bihari Bind and the accusation does not suggest any recovery from the conscious possession of the petitioner, coupled with the statement made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner be released on anticipatory bail in the event of arrest/surrender before the learned Court below within a period of twelve weeks from today on furnishing bail bonds of Rs. 10,000/- (ten thousand), with two sureties of the like amount each to the satisfaction of the learned **Judicial Magistrate, Kaimur at Bhabua** in connection with **Kudra P.S. Case No. 226 of 2017** subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Dinesh Kumar Singh, J)

Deepak/Rahul/-

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