

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 74973 of 2019**

Arising Out of PS. Case No.-62 Year-2018 Thana- KUDHNI District- Muzaffarpur

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RUPESH KUMAR Son of Late Kedar Singh Resident of Village - Balaur
Dih, P.S.- Kudhani, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Nachiketa Jha

For the Opposite Party/s : Mr.Md. Fahimuddin

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CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

2 25-11-2019 Heard learned counsel for the petitioner and the
learned APP for the State.

Petitioner apprehends arrest in a case registered under
Sections 464, 414 of Indian Penal Code.

Petitioner apprehends arrest in the instant case
wherein it is submitted that upon statement of co-accused
Sudhir Kumar, who has been apprehended with stolen
motorcycle, stating that the same was purchased from the
petitioner. It is on such basis that petitioner has been implicated
in this case on the basis of statement made by co-accused Sudhir
Kumar. The petitioner, upon his implication in the instant case,
has also been remanded in Kudhani Police Station Case No 20
of 2018. Accordingly, it is submitted that there is no criminal



antecedent of the petitioner prior to lodging the instant case. The petitioner's submission is of false implication on extraneous consideration.

Learned APP for the State has opposed the prayer.

Considering the aforesaid submissions, petitioner's prayer for bail is allowed.

Let the petitioner above named, in the event of his arrest or surrender within four weeks from today, shall be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate III, (West), Muzaffarpur in Kurhani (Kudhani) Police Station Case No 62 of 2018 dated 10.02.2018 subject to all conditions as laid down in Section 438 (2) of Criminal Procedure Code and also the following conditions:

(1) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(2) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his



bail will be liable to be cancelled.

(Madhuresh Prasad, J)

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