

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83159 of 2019

Arising Out of PS. Case No.-432 Year-2019 Thana- KUDHNI District- Muzaffarpur

AMOD KUMAR Son of Late Shashi Nath Prasad Verma Resident of
Mohalla- Laxmi Chowk, P.S.- Brahmpura, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arun Kumar

For the Opposite Party/s : Mr. Md. Aslam Ansari, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 16-12-2019 Heard the learned counsel for the petitioner and

the State.

The petitioner seeks bail in anticipation of his
arrest in connection with Kudhani P. S. Case No. 432 of
2019 dated 05.07.2019 instituted for the offences under
Sections 393, 413, 414, 120B and 34 of the Indian
Penal Code and sections 25(1-b)a, 26 and 35 of the
Arms Act, 1959.

It appears from the F.I.R. that a Scorpio vehicle
was intercepted and five accused persons were arrested,
who disclosed that they are engaged in the crime of
pilfering vehicles and changing its form and thereafter



selling the same in the market. On their tip off, the garage of one Prabhat Kumar was raided. Prabhat Kumar is said to have confessed the name of one Ajay Kumar Singh and Dilip Manjhi.

Aforesaid Prabhat Kumar is also stated to have taken the name of the petitioner as a facilitator in the crime in as much as the petitioner provided vehicle for outside work.

Learned counsel for the petitioner has submitted that because of the petitioner being known to aforesaid Prabhat Kumar and getting his customer for getting his car repaired in his garage, he has been named by the aforesaid Prabhat Kumar. There had been a past incident of dispute with respect to settlement of bill for some works done in the garage of Prabhat Kumar.

The petitioner has clean antecedent.

Persons who were arrested in the occurrence have been granted bail by different Benches of this



Court.

Considering the afore-stated facts, namely the implication of the petitioner on the confession of co-accused and the petitioner being a person of clean antecedent, the petition is allowed.

The petitioner, above-named, is directed to be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Sub-Judge 3rd West-cum-ACJM, Muzaffarpur in connection with Kudhani P. S. Case No. 432 of 2019, subject to the conditions as laid down under Section 438 (2) Cr.P.C.

(Ashutosh Kumar, J)

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