

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84007 of 2019

Arising Out of PS. Case No.-145 Year-2019 Thana- BIHTA District- Patna

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RAUSHAN KUMAR @ RAUSHAN S/o Raju Vishwakarma R/o village-
Bayapur, P.S.- Maner, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vinay Mistry

For the Opposite Party/s : Mr.Tapeshwar Sharma

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 18-12-2019 Heard learned counsels for the parties.

The petitioner is apprehending arrest in a case registered
for the offences punishable under Section 392 of the IPC.

The prosecution case as per the written report of Vishnu
Kumar submitted to the SHO, Bihta Police Station is to the
effect that the informant's motorcycle, mobile phone and
Rupees Eight Thousand were robbed by the mob leading to
registration of FIR against unknown. Name of the petitioner
sprang up in the confession of co-accused Gajadhar Kumar.

It is submitted by learned counsel for the petitioner that
there is no recovery from the petitioner rather the robbed
motorcycle was recovered from co-accused Gajadhar Kumar.
Statement has been made in paragraph 3 of the petition that the
petitioner is not having any criminal antecedent.



Learned APP submits that the name of the petitioner sprang up in the confessional statement of co-accused Gajadhar Kumar.

Considering the fact that there is no recovery from the petitioner and statement made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent, let the petitioner above named be released on anticipatory bail in the event of arrest or surrender within 12 weeks on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM, Danapur in connection with Bihta P.S. Case No.145 of 2019 subject to the conditions laid down in Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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