

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1184 of 2020

Arising Out of PS. Case No.-303 Year-2019 Thana- ROSERA District- Samastipur

Atul Kumar, Son of Ashok Purve @ Ashok Kumar Purbey, Resident of
Mohalla- Panjiyar Toli Ward No.-11, P.S.- Rosera, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs.Bela Singh

For the Opposite Party/s : Mr.Ashok Kumar Singh

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 25-02-2020 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 400, 401 and 414/34 of the Indian Penal Code.

The prosecution case as per the self statement of Amit Kumar, Inspector -cum- Station House Officer of Rosera Police Station recorded on 22.09.2019 at 9.15 P.M., is to the effect that co-accused Vikram Thakur was apprehended from his house along with a stolen motorcycle, who disclosed the name of eight other co-accused persons, including the petitioner who used to run a gang of stealing and selling of the motorcycles.

It is submitted by learned counsel for the petitioner that there is no recovery from the conscious physical possession



of the petitioner and except the confession of the co-accused no cogent material has been collected against the petitioner during investigation. A 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 on the confession of co-accused.

Considering the nature of accusation and the fact that there is no recovery from the conscious physical possession of the petitioner, coupled with the statement made in paragraph 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 or 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 learned Additional Chief Judicial Magistrate Ist, Rosera, Samastipur in connection with Rosera P.S. Case No. 303 of 2019, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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