

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4802 of 2020

Arising Out of PS. Case No.-487 Year-2019 Thana- GOPALGANJ TOWN District-
Gopalganj

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Ramprawesh Singh @ Ramprawesh Rai S/o Late Bhagirathi Rai R/o of
Village- Thothila, P.S.- Kateya, District- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shubhesh Pandey

For the Opposite Party/s : Mr.Shailendra Kumar

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 29-02-2020 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case
registered for the offence punishable under Section 392 of the
Indian Penal Code.

The prosecution case as per the written report of Ram
Pyare submitted to the Station House Officer of Gopalganj
Town P.S. is to the effect that on 25.09.2019 the informant came
to Gopalganj after having loaded stone chips on a truck. On
28.09.2019, he sold stone chips, in the meantime, two persons
on the point of knife, robbed off the cash amount of Rs.54,000/-
from the informant. The nearby people apprehended one person,
who disclosed his name as Sandip Tiwary and also disclosed the
name of the petitioner as his accomplice.

It is submitted by learned counsel for the petitioner



that there is no recovery from the conscious physical possession of the petitioner and 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 sprang up in he confession of co-accused.

Considering the fact that the petitioner's name surfaced on the basis of confessional statement of apprehended co-accused and 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 Chief Judicial Magistrate, Gopalganj in connection with Gopalganj Town P.S. Case No. 487 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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