

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14032 of 2021

Arising Out of PS. Case No.-867 Year-2019 Thana- KANKARBAG District- Patna

SURAJ KUMAR, Male, aged about 30 years, Son of Krishna Prasad @
Krishna Sao, Resident of Mohalla - Sindhua Toli, P.S.- Alamganj, District –
Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Santosh Kumar Singh, Advocate.
For the Opposite Party : Mr. A.G.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 13-04-2021 Learned counsel for the petitioner is directed to
remove the defects, as pointed out by the office, within a period
of four weeks.

Heard learned counsel for the petitioner and learned
A.P.P. for the State through Virtual mode.

The petitioner is apprehending his arrest in a case for
the offence registered under Sections 379 and 356 of the I.P.C.

The prosecution story, in brief, is that on 01.09.2019
at about 8.00 A.M., the informant went to a nearby shop to
purchase a bread. In the meantime, two unknown persons came
on a Motorcycle in the said shop and thereafter one of them,
who was a pillion rider, snatched away her chain and fled away.

It has been submitted by learned counsel for the
petitioner that the petitioner has falsely been implicated in the
present case. There is no allegation of tampering with the
witnesses alleged against the petitioner. The petitioner is not



named in the F.I.R. His name has come in the present case on the basis of confessional statement of co-accused. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in the present case. There is no recovery of any incriminating article from conscious possession of the petitioner.

On behalf of the learned counsel for the State, it has been submitted that the petitioner is not named in the F.I.R.

Considering the aforesaid facts and circumstances of the case, let the petitioner above named, in the event of arrest or surrender before the learned court below within a period of eight weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) only with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate-Ist, Patna, in connection with Kankarbagh P.S. Case No. 867 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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