

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24759 of 2020**

Arising Out of PS. Case No.-404 Year-2019 Thana- RUNISAIDPUR District- Sitamarhi

Kundan Kumar, Son of Ratneshwar Prasad Singh, Resident of Village-
Gaurigama Morsand, P.S.- Runnisaidpur, District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pushpendra Kumar Singh, Adv.

For the Opposite Party/s : Mrs. Asha Kumari, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL ORDER

3 08-01-2021 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has filed the instant application for grant of anticipatory bail in connection with Runnisaidpur P.S. Case No.404 of 2019 registered under sections 457 and 380 of the Indian Penal Code.

As per allegation in the FIR, the door/office of the Finance Company was broken and a sum of Rs.34.21 lacs approx was found stolen.

It is submitted by learned counsel for the petitioner that the name of the petitioner transpired seven months later in confessional statement of one Anand Kumar made before



police. No recovery of any incriminating article has taken place as a result of the said confession. The said Anand Kumar is himself a psychiatric patient and in support thereof, the doctor's prescription has been brought on record. Further Anand Kumar in his statement under section 161 Cr.P.C did not name the petitioner herein, however, subsequently in course of his statement under section 164 Cr.P.C has taken the name of the petitioner as being amongst the seven boys who were making plan to steal Rs.35,00,000/-. No other material has come against this petitioner.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties, and in view of the facts and circumstances of the case, including the submissions made on behalf of the petitioner and the petitioner having no criminal antecedent, the Court is inclined to enlarge the petitioner on anticipatory bail. The petitioner is directed to surrender in the Court below within a period of eight weeks from today and in the event of his arrest or surrender in connection with Runnisaidpur P.S. Case No.404 of 2019 he will be enlarged on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount



each to the satisfaction of learned Chief Judicial Magistrate,
Sitamarhi, subject to the conditions as laid down under section
438(2) of the Cr.P.C.

(Partha Sarthy, J)

Prakash Narayan /-

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