

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69505 of 2021

Arising Out of PS. Case No.-504 Year-2021 Thana- RUPASPUR District- Patna

AVINASH KUMAR, aged about 25 years, Gender-Male, S/o Sheo Kumar Soni @ Shiv Kumar Soni, Resident of Lal Kothi, P.S.- Danapur, District-Patna.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. Krishna Prasad Singh, Sr. Advocate and Mr. Bhaskar Shankar, Advocate
For the Opposite Party	:	Mr. Shantanu Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 23-12-2021 Learned counsel for the petitioner is directed to remove the defects, as pointed out by the office, within a period of eight weeks.

Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner is apprehending his arrest in connection with Rupaspur P.S. Case No. 504/2021 for the offence registered under Sections 399, 402, 413, 414 of the I.P.C. and 25(1-b)a, 26 and 35 of the Arms Act.

The prosecution story, in brief, is that one broken stolen golden chain was recovered from the house of the petitioner.

It has been submitted by learned counsel for the



petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has been made accused in the present case due to mistake of fact. The name of the petitioner has transpired in the present case on the basis of disclosure made by co-accused. One broken stolen golden chain is said to have been recovered from the house of the petitioner. The petitioner is a goldsmith by profession. He had no knowledge that the golden chain in question is a stolen property. There is no compliance of Section 100 of Cr. P.C. No arms and ammunition are said to have been recovered from the possession of the petitioner.

On behalf of the State, it is submitted that the petitioner is 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 twelve weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-II, Danapur, Patna, in connection with Rupaspur P.S. Case No. 504/2021, subject to the conditions as



laid down under Section 438(2) of the Code of Criminal
Procedure.

(Sudhir Singh, J)

U.K./-

U		T	
---	--	---	--

