

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12113 of 2021**

Arising Out of PS. Case No.-750 Year-2018 Thana- KAHALGAON District- Bhagalpur

1. VIKASH KUMAR @ VIKASH @ VICKKY AND ANOTHER Son of Kishan Mandal Resident of Village - Kulkulia, P.s.- Kahalgaon, Distt.- Bhagalpur.
2. SUMIT KUMAR @ SURWA @ SHIV CHARAN KUMAR Son of Rajendra Mandal Resident of Village - Kulkulia, P.s.- Kahalgaon, Distt.- Bhagalpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Dr. Manoj Kumar
For the Opposite Party/s : Mr.APP

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

3 05-04-2022 Heard learned counsel for the petitioner no. 2 and
learned APP for the State.

The instant application for anticipatory bail has been filed by the petitioner no. 2 apprehending his arrest in connection with Kahalgaon P.S. Case no. 750 of 2018 instituted for the offence punishable under Sections 413 and 414/34 of the Indian Penal Code.

Prosecution case relates to recovery of stolen cable wire from a tea stall of co-accused Naresh Mandal, who has disclosed the name of the petitioner as absconder from the place of occurrence.

Learned counsel appearing on behalf of the petitioner



has submitted that petitioner is innocent and has committed no offence. He has got no criminal antecedent. Petitioner has no concern either with the alleged recovery or with the place of occurrence. The name of the petitioner has been disclosed in this case by the co-accused, Naresh Mandal, which has no evidentiary value in the eye of law.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner no. 2 on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Kahalgaon P.S. Case no. 750 of 2018, they 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, Bhagalpur subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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