

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51958 of 2021

Arising Out of PS. Case No.-366 Year-2019 Thana- BARH District- Patna

Sunny Kumar Son of Kanhaiya Singh Resident of Village - Berhna, P.S.-
Barh, District – Patna.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Udbhav

For the Opposite Party/s : Mr. Gauri Shankar Gupta

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 06-05-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner apprehends his arrest in Barh P.S. Case
No.366 of 2019, registered for the offences punishable under
Sections 414 and 34 of the Indian Penal Code.

Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. It is further submitted that the name of the
petitioner surfaced in the case on the basis of confessional
statement of co-accused, Saurabh Kumar. It is submitted that
Saurabh Kumar disclosed that the motorcycle is a stolen one
which was stolen by Shivam and the said motorcycle was sold
by Shivam to Satyam Kumar @ Lali in Rs.6000/- and Satyam
gave the motorcycle to Sunny Kumar, the petitioner. Thereafter



Sunny Kumar, the petitioner handed over the motorcycle to Saurabh Kumar and Santosh Kumar. It is also submitted that the petitioner has got no criminal antecedent as stated in paragraph-3 of the bail application.

Learned APP for the State opposes the prayer for anticipatory bail of the petitioner.

Taking into consideration the facts that there is no recovery from the conscious possession of the petitioner, the petitioner has been made accused on the basis of confessional statement of co-accused and the fact that petitioner has got no criminal antecedent, let petitioner, above named, in the event of his arrest or surrender before the learned court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Barh in connection with Barh P.S. Case No.366 of 2019, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjani Kumar Sharan, J.)

Sanjay/-

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