

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9066 of 2023

Arising Out of PS. Case No.-26 Year-2022 Thana- TISIAUTA District- Vaishali

ASHUTOSH KUMAR Son of Late Suresh Rai R/v- Bardiha Turki, P.S.-
Patepur, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dharmendra Kumar Paswan

For the Opposite Party/s : Mr. Shantanu Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 18-04-2023 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Section 414 & 120B of the Indian Penal Code and Section 25 (1-b)a, 26 and 35 of the Arms Act.

The allegation against the petitioner is that he had soled the seized motorcycle to the co-accused Ravi Kumar @ Ravi Raj, who was arrested by the police at the place of occurrence.

It is submitted by learned counsel for the petitioner that no such occurrence as alleged ever took place. He has been falsely implicated in this case without any basis merely on the confessional statement of co-accused, which has



no evidentiary value in the eye of law. Nothing has been recovered from the conscious physical possession of the petitioner. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Tisiauta P.S. Case No. 26 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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