

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19264 of 2023

Arising Out of PS. Case No.-234 Year-2022 Thana- CHANDI District- Nalanda

Subodh Kumar, S/O Sunil Prasad, Village- Kharjma, PS- Ekangarsarai, Dist- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar, Advocate

For the Opposite Party/s : Mr. Braj Kishore Pd., APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 12-06-2023 Heard Mr. Manoj Kumar, learned counsel appearing on behalf of the petitioner and the learned APP for the State.

The petitioner apprehends his arrest in connection with Chandi P.S. Case No. 234 of 2022 registered for the offence punishable under Sections 356 and 379 of the Indian Penal Code.

Allegedly, while the informant was going on his bicycle, in the meantime, two persons riding on a motorcycle, bearing Registration No. BR 21 3190 snatched his mobile and fled away.

Submissions has been made on behalf of the petitioner that the petitioner is neither connected with the motorcycle nor the mobile has been recovered from his possession. However, during the course of investigation co-accused 'Vinod Kumar' was arrested, from whose possession the mobile was recovered



and, thereafter, the name of one 'Subodh Kumar' of village – Porai has been transpired on the confessional statement of co-accused 'Vinod Kumar' and so far the petitioner is concerned, he is resident of village – Kharjma, P.S. Ekangarsarai, District- Nalanda. He next submitted that the petitioner, having fair antecedent, pursuing his study and only on account of tower location his name has been implicated in this case.

On the other hand, learned APP for the State vehemently opposes the pre-arrest bail application of the petitioner and submits that the petitioner was found at the place of occurrence as per the tower location of his mobile.

Regard being had to the submissions made on behalf of the parties and considering the fact that recovery has been made from co-accused 'Vinod Kumar', who has disclosed the name of 'Subodh Kumar', who happens to be cousin of his brother-in-law and resident of village – Porai, apart from the fair antecedent of the petitioner, 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 four weeks from today, on furnishing bail bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Hilsa, Nalanda in



connection with Chandi P.S. Case No. 234 of 2022, subject to
the condition as laid down under Section 438 (2) of the Cr.P.C.

(Harish Kumar, J)

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