

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35853 of 2023

Arising Out of PS. Case No.-126 Year-2022 Thana- KHUDAGANJ District- Nalanda

Arun Yadav @ Arun Kumar, Son of Late Ishwar Yadav, Resident of Village-
Musahri, Police Station-Islampur, District-Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Md.Imteyaz Ahmad, Advocate
For the Opposite Party/s	:	Mr. Suman Kumari Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

3 21-07-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with
Khudaganj P.S. Case No. 126 of 2022 dated 04.09.2022
instituted for the offence punishable under Sections 379 of the
Indian Penal Code.

3. The prosecution case, in short, is that 03.09.2022,
the informant's son parked the Tempo bearing Registration No.
BR21K 1428 at the door of his house, but next morning the said
tempo was not found there. After searching the tempo, it could
not be located. It has been alleged that some unknown thieves
have stolen the tempo.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and he is falsely implicated in this case. It is further submitted that the petitioner is not named in the F.I.R. Only on the confessional statement of co-accused Manoj Sao, the name of the petitioner has transpired in this case. No incriminating article has been recovered from the possession of the petitioner. Some parts of the said tempo was recovered from the possession of the said Manoj Sao. As per the seizure list, it has been mentioned that seized articles have been recovered from Telmar *Thana Parisar*. Learned counsel for the petitioner submits that co-accused Manoj Sao has been granted bail by learned lower court. Lastly, it has been submitted that he has four criminal cases.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner in connection with Khudaganj P.S. Case No. 126 of 2022, he shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, Hilsa (Nalanda) subject to condition as laid down under Section 438(2) of the



Criminal Procedure Code.

(Khatim Reza, J)

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