

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40226 of 2023

Arising Out of PS. Case No.-125 Year-2020 Thana- MUFFASIL District- Aurangabad

Gunjen Kumar @Gunjan Atirana@Gunjesh Ahirana Son Of Late Ram Sunder
Yadav @ Jhakash Yadav Resident Of Village- Sivganj, Gobal Bigha, Ps-
Madanpur Distt-Aurangabad

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

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

For the Opposite Party/s : Mr. Mritunjay Kumar Nirala, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 28-07-2023 Heard Mr. Ranjit Kumar, learned counsel appearing
on behalf of the petitioner and Mr. Mritunjay Kumar Nirala,
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in
connection with Aurangabad (Muffasil) P.S. Case No. 125 of
2020, registered under Section 414 of the Indian Penal Code.

3. As per allegation made in the F.I.R. a stolen
motorcycle was recovered from the possession of co-accused
Sunil Kumar.

4. Learned counsel appearing on behalf of the
petitioner submitted that due to enmity co-accused Sunil
Kumar, from whose possession the stolen motorcycle is said to
be recovered, has named the petitioner while he was in Police
custody, which has no evidencery value. From perusal of the



F.I.R. no ingredient of Section 414 of I.P.C. is made out against the petitioner. The petitioner has no criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of pre-arrest bail to the petitioner.

6. Considering the nature of allegation made in the F.I.R. as well as the fact that stolen motorcycle has been recovered from the possession of co-accused Sunil Kumar. 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 bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad in connection with Aurangabad (Muffasil) P.S. Case No. 125 of 2020, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Purnendu Singh, J)

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