

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46222 of 2023

Arising Out of PS. Case No.-22 Year-2023 Thana- RAUTARA District- Katihar

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Kishan Yadav @ Kishan Kumar S/O Ranjeet Yadav R/O Nayatola Ranipatra,
P.S- Rautara, Distt.- Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar Singh, Advocate
For the Opposite Party/s : Mr.Khurshid Anwar, APP

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 06-09-2023 Heard learned counsel for the parties.

2. Petitioner seeks pre-arrest bail in connection with Rautara P.S.Case No.22 of 2023, registered for the offences punishable under Sections 413 & 414/34 of the Indian Penal Code.

3. Prosecution story, in brief, is that the informant, who is ASI of Rautara Police Station, received information that one stolen motorcycle is kept in the house of co-accused Md. Nazim. Md. Nazim was arrested and during the course of search of his house, one motorcycle was recovered and no documents relating to the said motorcycle were produced rather it was stated that the said motorcycle was given by the petitioner.

4. Learned counsel appearing on behalf of the petitioner submits that the stolen motorcycle was recovered from the house of one Md. Nazim, who was arrested and Md.



Nazim has taken the name of the petitioner in police custody. Learned counsel further submits that the statement taken under the police custody has no evidentiary value. The petitioner has one criminal antecedent and he seeks pre-arrest bail pleading that he is innocent.

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

6. Considering the nature of allegation made in the FIR as well as the record reveals that co-accused Md. Nazim in his confessional statement has taken the name of the petitioner, the petitioner is directed to be released on pre-arrest 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 C.J.M., Katihar in connection with Rautara P.S.Case No.22 of 2023, subject to conditions as laid down under Section 438(2) of the Cr.P.C. with further condition that the petitioner will not be indulged in similar nature of offence in future.

(Purnendu Singh, J)

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