

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58947 of 2023

Arising Out of PS. Case No.-18 Year-2023 Thana- UJIYARPUR District- Samastipur

Nitish Kumar Son of Ashok Kumar Singh Resident of village - Fatehpur Bala,
ward no. 3, P.S. - Musrigharari, Distt. - Samastipur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kundan Kumar

For the Opposite Party/s : Mr.Awadhesh Kumar Singh

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 20-09-2023 Heard learned Counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending arrest in connection
with Ujiyapur P.S. Case No. 18 of 2023 registered on
16.01.2023 for the offences punishable under Section 379 of the
Indian Penal Code.

3. As per prosecution, the FIR has been lodged
against unknown accused persons on theft of motorcycle of the
informant

4. It is submitted by learned counsel for the petitioner
that the petitioner is innocent and has committed no offence.
The FIR has been lodged against unknown and the name of the
petitioner has figured in this case on the basis of confessional
statement of co-accused Ravi Kumar. There is no recovery from
the petitioner nor any Test Identification Parade has been made.



A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent. He fairly submits that the petitioner is accused in one other case in which he is on bail. The FIR has been lodged under section 379 of the Indian Penal Code, but on conclusion of investigation, the chargesheet has been submitted under Sections 379 and 392 of the Indian Penal Code against the petitioner and other accused persons.

5. Learned APP for the State opposes the prayer for bail.

6. In the facts and circumstances, let the above named petitioner be released on bail, in the event of arrest or surrender before the learned Court below within a period of 6 weeks from today, on furnishing bail bond of ₹30000/- (thirty thousand) with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Dalsingsarai, Samastipur, in connection with Ujiyarpur P.S. No.18 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dr. Anshuman, J)

Ashwini/-

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