

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48998 of 2022

Arising Out of PS. Case No.-178 Year-2020 Thana- KURTHA District- Jehanabad

NAULESH KUMAR Son of Shiv Baran Yadav Resident of village - Dihuri,
P.S.- Parasbigha, District - Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Paras Nath, Advocate

For the Opposite Party/s : Mr.Ajit Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 06-01-2023 Heard learned counsel for the petitioner and learned
APP for the State in Virtual Court Proceeding.

Let the defect(s), if any, as pointed out by the
office, be removed within four weeks.

The petitioner is apprehending arrest in connection
with Kurtha (Manikpur) P.S. Case No. 178 of 2020 instituted
under sections 379, 411 and 427/34 of the Indian Penal Code.

As per the prosecution story, submersible motor
installed in the field of the informant was stolen and accordingly
FIR was lodged. Subsequently, one Vikash Kishore Singh was
arrested with the stolen submersible motor which was carried on
his Bolero vehicle and he accepted his guilt and disclosed the
name of this petitioner to the police which led to lodging of the
two FIRs i.e. the present one and the second, Parasbigha P.S.



Case No. 131 of 2020 and as such the same has been incorporated in para-3 of the present petition.

Learned counsel for the petitioner submits that on the basis of confessional statement, the police implicated him in two cases for the same stolen submersible motor and in that background there is criminal antecedent as stated in para-3 of the petition.

The learned APP on the other hand opposes the prayer for anticipatory bail stating that it is a case of theft of submersible motor of the informant.

Taking into account the aforesaid facts that Vikash Kishore Singh was arrested with the stolen submersible motor and the name has come only in confessional statement before the police, save and except the two cases relating to the theft of motor, he do not have any criminal antecedent, this Court is inclined to grant him relief.

Let the petitioner be released on bail, in the event of their arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Arwal, in connection with Kurtha (Manikpur) P.S. Case No. 178 of 2020



subject to the conditions as laid down under Section 438(2) of
the Cr.P.C.

(Rajiv Roy, J)

Ravi/Ajay
Singh/-

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