

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53084 of 2023

Arising Out of PS. Case No.-148 Year-2022 Thana- BAIKUNTHPUR District- Gopalganj

Karan Kumar Son of Shyam Sunder Rai Resident of village - Munja, P.S. -
Baikunthpur, Distt. - Gopalganj

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Uday Pratap Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 19-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. In this case, the petitioner is apprehending his arrest in connection with Baikunthpur P.S. Case No. 148 of 2022, registered on 03.06.2022 for the offences under Sections 413, 414/34 of the Indian Penal Code.

3. As per prosecution case, on the basis of secret information that some miscreants have assembled for making plan of committing some crime and for sale-purchase of stolen motorcycles, a raid was conducted and four co-accused persons were apprehended with three stolen motorcycles. The co-accused Chandan Kumar and Mukesh Kumar disclosed the name of the petitioner and other co-accused persons for being their associates who fled away from the spot when the raid was



being conducted.

4. Learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in this case on the basis of confessional statement of co-accused Chandan Kumar and Mukesh Kumar who are on inimical terms with the petitioner. The petitioner had been residing in Punjab during the relevant period and no recovery of any stolen article has been made from the conscious possession of the petitioner. Merely on suspicion and on the basis of confessional statement of co-accused persons the petitioner has been made accused in this case. The petitioner has got no criminal antecedent.

5. Learned APP opposes the submission made on behalf of the petitioner.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the lack of material against the petitioner coupled with the probability of false accusation, let the petitioner above named, in the event of his arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bonds of Rs. 20,000/- (Rupees Twenty Thousand Only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gopalganj at



Gopalganj/ court concerned in connection with Baikunthpur P.S.
Case No. 148 of 2022, subject to the conditions as laid down
under Section 438(2) of the Code of Criminal Procedure and
other following conditions:

- (i) One of the bailors will be a close relative of the
petitioner.
- (ii) The petitioner will remain present on each and
every date fixed by the court below, if so required
by the learned trial court.

(Arun Kumar Jha, J)

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