

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63734 of 2023

Arising Out of PS. Case No.-121 Year-2023 Thana- DUMARIAGHAT District- East
Champaran

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BHUSHAN KUMAR Son of Baban Rai R/o vill - Bishrampur Dubauli, P.S. -
Dumariyaghat, Distt. - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma, Advocate
For the Opposite Party/s : Mr. Ramesh Chandra, APP

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 18-10-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner, in the present case, is seeking pre-arrest bail in connection with Dumariyaghat P.S. Case No.121 of 2023 registered for the offences punishable under Sections 413 and 414/34 of the Indian Penal Code. The petitioner has got no criminal antecedent.

3. As per the prosecution story, allegedly 40 liters of stolen diesel, four empty gallons and pipe were recovered from Tata Tiago Car bearing Reg. No. BR05AP5227.

4. Learned counsel for the petitioner submits that the name of the petitioner has transpired in the confessional statement of the co-accused and save and except that statement



there is no other material to connect the petitioner with the present case. It is submitted that the petitioner has otherwise no criminal antecedent.

5. Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioner.

6. Having regard to the submission that the name of the petitioner has transpired in the confessional statement of the co-accused and save and except that statement there is no other material to connect the petitioner with the present case, he has otherwise no criminal antecedent, in the circumstances, this Court directs that in case of his arrest/surrender within a period of six weeks from today, let the petitioner above-named be enlarged on bail on furnishing bail bond of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Motihari, East Champaran in connection with Dumariyaghat P.S. Case No. 121 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

7. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for



cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

8. This application stands allowed.

(Rajeev Ranjan Prasad, J)

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