

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78667 of 2023

Arising Out of PS. Case No.-64 Year-2022 Thana- TANDWA District- Aurangabad

Akshay Singh Son Of Bickeshwar Singh @ Brij Kishore Singh Resident Of
Village - Sobhichak, P.S. - Pipra, District - Palamu (JHARKHAND)

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramendra Kumar Singh

For the Opposite Party/s : Mr.Anuj Kumar Shrivastava

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 11-12-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in a case registered for the offence punishable under Sections 414/34 of the Indian Penal Code.

3. Petitioner is said to have committed theft of the motorcycle.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He submits that the apprehended person disclosed the name of the petitioner. He submits that the name of the petitioner has come on the basis of confessional statement of co-accused before the police which has no evidentiary value in the eye of law. He submits that nothing incriminating has been recovered from the conscious possession of the petitioner. He



further submits that petitioner has no criminal antecedent as stated in para-3 of the bail application.

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

6. Considering the facts and circumstances of the case, let the above named petitioner in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Tandwa P.S. Case No. 64 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

7. However, the learned court below shall accept the bail bond of the petitioner after verifying the fact that the petitioner has got no criminal antecedent.

8. If the learned court below after verification finds that the petitioner has criminal antecedents, the bail bond of the petitioner shall not be accepted.

(Anjani Kumar Sharan, J)

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