

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29447 of 2024

Arising Out of PS. Case No.-28 Year-2024 Thana- LAXMIPUR District- Jamui

Subhash Kumar @ Subhas Kumar, Son of Nandlal Yadav, Residence of
Village- Dighra, Shiv Tola, P.S.- Jhajha, District- Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhim Sen Prasad, Advocate

For the Opposite Party/s : Mr.Nityanand, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 15-05-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. In the present case, the petitioner is apprehending his arrest in connection with Laxmipur (Gidhor) P.S. Case No. 28 of 2024 for the offences under Sections 379, 394 and 411 of the Indian Penal Code.

3. As per prosecution case, the motorcycle of the informant was stolen from the parking area of Gidhor railway station. The name of the petitioner transpired along with other co-accused persons for being involved in the theft of the motorcycle of the informant.

4. The learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. There is no eye witnesses to the occurrence. The petitioner



has been named in this case on the basis of confessional statement of co-accused Kumar Gaurav. There is no specific allegation against the petitioner for committing any offence. Nothing incriminating has been recovered from the person/possession of the petitioner, who is a student and is studying in B.A. Only allegation against the petitioner is that of concealing the motorcycle, but there is no material on record to support the allegation. The petitioner has got no criminal antecedent.

5. The learned A.P.P. vehemently opposes the submission made on behalf of the petitioner.

6. Having regard to the fact and circumstances and submission made on behalf of the parties and considering the vague nature of allegation and absence of supporting material to corroborate the offence as alleged against the petitioner, 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.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Jamui, in connection with Laxmipur (Gidhor) P.S. Case No. 28 of 2024, subject to the condition 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 below, if so
required by the learned trial court.

V.K.Pandey/-

(Arun Kumar Jha, J)

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