

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37434 of 2024

Arising Out of PS. Case No.-128 Year-2024 Thana- BIHTA District- Patna

Shubham Kumar @ Shivam Kumar Son of Lalit Ray @ Lalit Kumar Village-
Kanhauli, P.S.- Bihta, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar Choudhary

For the Opposite Party/s : Mr.Shaheen Begum

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 17-05-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending his arrest in connection with Bihta P.S. Case No. 128 of 2024 instituted for the offences under Sections 401, 413 and 414 of the Indian Penal Code.

3. As per prosecution case, there has been recovery of one stolen motorcycle from the possession of co-accused Anshu Kumar.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. The name of the petitioner has come into light on the basis of confessional statement of co-accused Anshu



Kumar, which has got no evidentiary value in the eyes of law. Petitioner has no concern with the alleged recovery. No incriminating article has been recovered from the conscious possession of the petitioner. It is next submitted that the petitioner has got no criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the Court below/concerned Court in connection with Bihta P.S. Case No. 128 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Rudra Prakash Mishra, J)

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