

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42516 of 2024

Arising Out of PS. Case No.-367 Year-2023 Thana- NARHATT District- Nawada

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Ankush Kumar, S/O Manoj Singh @ Manoj Kumar, R/O Ariyan, Siswan,
P.S.- Hisua, Dist- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Jainandra Kumar, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 10-07-2024 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 Narahat P.S. Case No. 367 of 2023 for the offences under Section 379 of the Indian Penal Code.

3. As per prosecution case, the motorcycle of the informant was stolen and the neighbours told him about the co-accused Shashi Bhushan Kumar and two other persons, who were moving suspiciously at the place of occurrence. The petitioner was named in the confessional statement of co-accused Shashi Bhushan Kumar.

4. The learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Except for the confessional statement of co-accused, no



material has come up against the petitioner to connect him in the offence as alleged. While rejecting the prayer for bail of the petitioner, the learned Additional Session Judge-III, Nawada wrongly recorded that process under Section 82 Cr.P.C. has been issued against the petitioner. Similarly, the contents of paragraphs 60 and 69 of the case diary have wrongly been mentioned, but no such paragraphs are available in the case diary. Nothing incriminating has been recovered from the person/possession of the petitioner. The petitioner is having criminal antecedent of one case.

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 nature of allegation and absence of supporting material to corroborate the offence as alleged against the petitioner and further considering the possibility of false implication, 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, Nawada, in connection with Narahat P.S.
Case No. 367 of 2023, 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.

(Arun Kumar Jha, J)

V.K.Pandey/-

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