

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53251 of 2024

Arising Out of PS. Case No.-589 Year-2023 Thana- MADHEPURA District- Madhepura

Aditya Kumar, Son of Shushil Yadav @ Shushil Kumar R/o Village- Inarwa,
ward No.05, P.S.- Sourbazar, District- Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 25-10-2024 Heard Mr. Rupesh Kumar, learned counsel appearing
on behalf of the petitioner and Mr. Yogendra Kumar, learned
APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Madhepura P.S. Case No. 589 of 2023 registered for the
offence(s) punishable under Sections 379 and 420 of the Indian
Penal Code.

3. As per the allegation made in the FIR a tractor
bearing registration No.BR43GA/1824 of the informant was
stolen by the unknown accused persons.

4. Learned counsel appearing on behalf of the
petitioner submitted that the name of the petitioner has surfaced
in this case on the basis of confessional statement made by co-
accused Satan Kumar before the police, which has no



evidentiary value in the eye of law. The tractor was recovered and a seizure list was prepared and FIR was lodged on the basis of information given by the informant. Learned counsel further submitted that a false case of theft has been lodged against the petitioner. Similarly situated co-accused namely Rupesh Kumar and Bhushan Kumar have been granted pre-arrest bail by this Court vide order dated 09.04.2024 passed in Cr. Misc. No. 85015 of 2023.

5. Learned APP for the State has vehemently opposed the prayer for grant of pre-arrest bail to the petitioner.

6. Considering the facts and circumstances of the case and the fact that the name of the petitioner has surfaced in the case on the basis of confessional statement of co-accused and similarly situated co-accused have been granted pre-arrest bail by this Court, the petitioner, above named, is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Madhepura in connection with Madhepura P.S. Case No. 589 of 2023, subject to the conditions as laid down under Section 438(2) of



the Cr.P.C.

7. The District Court is directed to verify the criminal antecedent of the petitioner and if it is found that the petitioner is involved in some other cases as what has been stated in Para- 3 of the bail petition, this order will automatically lose its force.

8. The bail application stands disposed of.

(Purnendu Singh, J)

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