

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55034 of 2024

Arising Out of PS. Case No.-88 Year-2024 Thana- BHELDI District- Saran

Akhilesh Kumar Singh @ Nalini Kumar Singh S/o Prabhunath Singh R/o vill
and p.s. - Bheldi, Distt. - Saran at Present R/o 36, Workers Flat, Near Baridih
T.O.P. Jamshedpur, P.S. - Baridih colony, Distt. - East Singhum (Jharkhand)
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nalin Kumar, Advocate
For the Opposite Party/s : Mr. Uday Chand Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 31-08-2024 Heard learned counsel for the petitioner and learned A.P.P.
for the State.

02. In the present case, the petitioner is apprehending his
arrest in connection with Bheldi P.S. Case No. 88 of 2024 registered
for the alleged offences under Section 379 of the Indian Penal Code.

03. As per prosecution case, the tractor of the informant
was stolen from her doors. The name of the petitioner transpired
during investigation for being involved in the theft.

04. Learned counsel for the petitioner submits that the
petitioner is innocent and has been falsely implicated in this case on
the basis of confessional statement of co-accused Manoj Kumar
which is having no legal sanctity. Nothing incriminating has been
recovered from person or possession of this petitioner and even the
stolen tractor was not recovered from the possession of the petitioner.
The petitioner is made accused merely on suspicion. The petitioner is
having antecedent of one case of similar nature.



05. Learned A.P.P. for the State opposes the submission made on behalf of the learned counsel for the petitioner.

06. Having regard to the facts and circumstances and submission made on behalf of the parties and considering the absence of material against the petitioner to connect him with the offence as alleged and also considering 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 bond of Rs. 10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of Court of learned A.C.J.M.-XI, Saran in connection with Bheldi P.S. Case No. 88 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 court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

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