

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69077 of 2024

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

Sunny Kumar @ Sunny Choudhary Son of Kannu Choudhary @ Funu Choudhary Resident of Village- Dhanaut, P.S. -Rupaspur, District -Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Patanjali Rishi, Advocate

For the Opposite Party/s : Mr. Bharat Bhushan, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 20-09-2024 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner apprehends arrest in Bihta P.S. Case No. 128 of 2024, registered under Sections 401, 413 and 414 of the Indian Penal Code.

3. The prosecution case, in short, is that, there has been recovery of one stolen motorcycle from the possession of co-accused Anshu Kumar.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. Learned counsel for the petitioner also submits that name of the petitioner has transpired on the basis of confessional statement of co-accused Anshu Kumar and the



same has got no evidentiary value. The petitioner has got no concern with the alleged recovery. The petitioner bears one criminal antecedent. Learned counsel for the petitioner further submits that similarly situated co-accused has been granted anticipatory bail by this Court vide order dated 17.05.2024 passed in Cr. Misc. No. 37434 of 2024.

5. Learned APP 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/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of 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)

Rajorshi/-

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