

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81799 of 2023

Arising Out of PS. Case No.-93 Year-2023 Thana- PHULWARIA District- Begusarai

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SANJAY KUMAR SINGH @ GAPPU SINGH Son of Suryadev Singh R/O
Village - Agrail Khurd, P.S.- Baligaon, District - Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr. Manish Chandra Gandhi, Advocate
For the State	:	Mr. Suresh Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 19-03-2024 Heard learned counsels for the parties.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Section 411 of the Indian Penal Code.

3. As per prosecution case, tractor of the informant was stole on 24.06.2023 and during investigation, the same was recovered from one Sushant Maurya, who disclosed that the said tractor was purchased by him from this petitioner.

4. It is submitted by learned counsel appearing on behalf of the petitioner that the petitioner has falsely been implicated in this case. It is next submitted that only on the basis of confessional statement of co-accused Sushant Maurya, and except confessional statement, there is no material on record to



connect the petitioner with the alleged occurrence. It is further submitted that during investigation, it has come that the entire conversation between co-accused Sushant Maurya and this petitioner was conducted on the mobile of one Laddu Sah, who is business partner of this petitioner and the payment of the allegedly stolen tractor was also made on the pay phone of Laddu Sah and this petitioner has been implicated in this case only because he is business partner of Laddu Sah. Petitioner claims clean antecedent.

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

6. Considering the aforesaid facts and circumstances, fact that name of the petitioner has transpired in this case only on the basis of confessional statement of co-accused Sushant Maurya and clean antecedents of the petitioner, the prayer for grant of anticipatory bail to the petitioner is allowed.

7. Accordingly, in the event of arrest/surrender within a period of six weeks from today, let the above named petitioner be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-I, Begusarai, in connection with Phulwaria P.S. Case No. 93 of 2023, subject to condition as laid



down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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