

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83087 of 2023

Arising Out of PS. Case No.-1007 Year-2022 Thana- SUPAUL District- Supaul

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Pappu Kumar @ Pappu Paswan Son Of Bijal Paswan Resident Of
Madhrauttar Ps Phulkaha District Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar, Adv.

For the Opposite Party/s : Mr.Khurshid Anwar, APP

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CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 10-01-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner apprehends arrest in connection with
Supaul PS Case No. 1007 of 2022 dated 01-11-2022, instituted
under Sections 379, 411,414,468, 471 and 420/34 of the Indian
Penal Code.

3.Allegation in the First Information Report (for brevity
'FIR') is that police, on secret information that co-accused Santosh
Kumar Singh along with his associates were roaming near Mahavir
Chowk on a motorcycle for the purpose of stealing motorcycle,
raided the said place of occurrence. It is further alleged that seeing
the police party, motorcycle riders tried to flee away, but he was
apprehended. On enquiry, he disclosed his name as Santosh Kumar
Singh. He further disclosed that petitioner along with other co-



accused persons used to steal motorcycle and sell it.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. There is nothing on record to indicate the complicity of the petitioner barring the confessional statement of the apprehended persons, namely, Santosh Kumar Singh, which has no evidentiary value in the eye of law. It is further submitted that as per the allegation, on the basis of the confessional statement, the petitioner is purchaser of the stolen motorcycle and also selling stolen motorcycle, which is contradictory, as per the allegation narrated by the co-accused in his confessional statement. The petitioner has no concern with said Santosh Kumar Singh. Nothing has been recovered from possession or house of the petitioner. The petitioner has no criminal antecedents, as per disclosure made in para 3 of the bail petition.

5. Learned APP has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned CJM Supaul, in Supaul PS



Case No. 1007 of 2022, subject to the conditions laid down in
Section 438(2) of the Code of Criminal Procedure, 1973.

7. The application stands allowed.

(Khatim Reza, J)

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