

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81725 of 2023

Arising Out of PS. Case No.-10 Year-2023 Thana- DANAPUR District- Patna

Shubham Kumar S/O Late Ajay Vishwakarma Resident Of Village/Mohalla-
Ved Nagar, Rukanpura, P.S.- Rupaspur, District-Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Uday Narayan Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR

ORAL ORDER

2 10-01-2024 Heard Mr. Uday Narayan Singh, learned counsel

appearing on behalf of the petitioner and the learned APP for the

State.

2. The petitioner apprehends his arrest in connection
with Danapur P.S. Case No. 10 of 2023, registered for the
offence punishable under Sections 379, 356 and 414/34 of the
Indian Penal Code.

3. Allegedly, while the informant was going to his
house, in the meantime, two miscreants riding on a motorcycle
came there and snatched his mobile. On chase, one of the
miscreants was apprehended by the local people, who disclosed
the name of the another associate. The snatched mobile was also
recovered from the apprehended person.

4. It is submitted on behalf of the petitioner that the



petitioner is neither named in the FIR, nor the apprehended person disclosed his name or about his complicity in the crime. However, he being owner of the motorcycle, which was used in the crime, his name has been implicated in this case. He submitted at the bar that on being requested by the co-accused Anup Kumar Singh, who happens to be neighbour of the petitioner, he had handed over his motorcycle for the purposes to visit a Nursing Home. The petitioner was not knowing the fact that the co-accused Anup Kumar Singh, would commit such type of crime, moreover, the petitioner having fair antecedent and even during the course of investigation no material has come, showing the complicity of the petitioner with the accused persons.

5. On the other hand, learned APP for the State vehemently opposes the pre-arrest bail application of the petitioner.

6. Regard being had to the submissions made on behalf of the parties and considering the fact that name of the petitioner has been implicated in this case only on account of he being owner of the motorcycle, in question, which was being ridden by two of the miscreants, coupled with the fair antecedent, let the above named petitioner, be released on bail,



in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Danapur, Patna in connection with Danapur P.S. Case No. 10 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C., with the further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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