

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85015 of 2023

Arising Out of PS. Case No.-589 Year-2023 Thana- MADHEPURA District- Madhepura

1. RUPESH KUMAR, aged about 27 years, SON OF VIKASH PRASAD YADAV RESIDENT OF VILLAGE- BAIJNATHPUR, WARD 23 PS- SAURBAZAR AND DISTT- SAHARSA
2. BHUSHAN KUMAR SON OF NAND KHIRHAR @ NANDAN YADAV RESIDENT OF VILLAGE- MAHPURA WARD NO. 13, PS- MAHESHI, DISTT- SAHARSA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dinesh Prasad Verma, Advocate
For the Opposite Party/s : Ms.Asha Kumari, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 09-04-2024 Heard Mr. Dinesh Prasad Verma, learned counsel appearing on behalf of the petitioners and Ms. Asha Kumari learned APP for the State.

2. The petitioners seek pre-arrest bail in connection with Madhepura P.S. Case No. 589 of 2023 registered for the offence(s) punishable under Sections 379 and 420 of the Indian Penal Code.

3. As per the allegation made in the FIR a tractor of the informant bearing registration No.BR43GA/1824 was stolen by the unknown accused persons.

4. Learned counsel appearing on behalf of the petitioners submitted that names of the petitioners have



surfaced in this case on the basis of confessional statement made by co-accused, Satan Kumar before the police and confessional statement made before police has no evidentiary value. The tractor was recovered and seizure list was prepared and FIR was lodged on the basis of information given by the informant. Learned counsel further submitted that false case of theft has been lodged against the petitioner.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. In the facts and circumstances of the case, considering the fact that name of the petitioner has surfaced on the basis of confessional statement, petitioners, above named, are directed to be released on pre-arrest bail, in the event of their arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Madhepura in connection with Madhepura P.S. Case No. 589 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Purnendu Singh, J)

Sanjay/-

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