

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1729 of 2024

Arising Out of PS. Case No.-342 Year-2023 Thana- BARH District- Patna

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1. Vikash Mallick Son of Vindu Mallick R/o vill - Gopinath, P.S. - Barh, Dist. - Patna
 2. Rahul Kumar Son of Late Vindeshwar Mallick R/o vill - Gopinath, P.S. - Barh, Dist. - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. Suraj Kumar, Advocate
For the State	:	Mr. Lakshmi Kant Sharma, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 07-02-2024 Heard learned counsels for the parties.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Section 379 of the Indian Penal Code.

3. As per prosecution case, it is alleged that one E-rickshaw got stolen. On examination of CCTV footage, one Suraj Kumar was identified and apprehended, who disclosed the name of these petitioners as being co-accused in the theft.

4. It is submitted by learned counsel appearing on behalf of the petitioners that the petitioners are not named in the F.I.R.. Their name has transpired on the basis of confessional statement of co-accused Suraj Kumar. Except confessional statement, there is no other material on record to connect the



petitioners with the alleged incident. No incriminating material has been recovered from the conscious possession of these petitioners. Petitioners claim clean antecedents.

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, the fact that name of the petitioners has transpired on the basis of confessional statement of co-accused and their clean antecedents, the prayer for grant of anticipatory bail to the petitioners is allowed.

7. Accordingly, in the event of arrest/surrender within a period of six weeks from today, let the above named petitioners be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-I, Barh, Patna, in connection with Barh P.S. Case No.342 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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