

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2863 of 2024

Arising Out of PS. Case No.-765 Year-2023 Thana- BIHAR District- Nalanda

Shekhar Kumar, Son Of Alakh Prasad @ Alakhdeo Prasad Resident Of
Village - Imadpur, Post - Biharsharif, Biharsharif, Nalanda - 803101

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Sudhir Kumar Raj
For the Opposite Party/s :	Mr.Narsingh Tanti- A.P.P.
	Mr.Gaurav Kumar Verma
	Mr.Nitin Shashi Sharma
	Mr.Gaurav Kumar
	Mr.Ashwani Kumar
	Mr.Madhav Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 12-02-2024 1. Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

2. The petitioner seeks bail in anticipation of his
arrest in a case registered for the offences punishable under
Sections 406, 419, 420 and 34 of the Indian Penal Code.

3. The learned counsel for the petitioner submits
that from bare perusal of the allegation as alleged in the
F.I.R., it would manifest that the thrust of the allegation is
against Pankaj Mali and Rahul Kumar of booking articles
from the shop of the informant including a generator set
which subsequently is alleged to have been sold by the



accused persons including the petitioner.

4. The learned counsel for the petitioner submits that from perusal of the allegation as alleged in the F.I.R., it would manifest that petitioner never approached the informant for booking the articles as detailed in the F.I.R. It is also submitted that his name transpired in the confessional statement of co-accused. It is next submitted that only allegation against the petitioner is that he was instrumental in getting the generator set sold to some third person which belonged to the informant. It is also submitted that petitioner is a person with clean antecedent and confessional statement before police does not have any evidentiary value.

5. Learned A.P.P. along with learned counsel for the informant rebuts the submission of the learned counsel for the petitioner, but then, are not in a position to rebut the submission of the learned counsel for the petitioner that the thrust of the allegation is against Pankaj Mali and Rahul Kumar and the name of the petitioner transpired in the confessional statement of co-accused.

6. Considering the submissions made by the



learned counsel for the petitioner, the petitioner, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Nalanda in connection with Bihar P. S. Case No. 765 of 2023, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Satyavrat Verma, J)

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