

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22658 of 2025

Arising Out of PS. Case No.-679 Year-2024 Thana- JAMUI District- Jamui

Shubham Kumar, Son of Anik Yadav @ Anil Yadav, resident of Village
-Bukar Tola Kanuli, P.S. and Distt- Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Satya Prakash Parasar, Advocate

For the Opposite Party/s : Mr. Ram Anurag Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 30-04-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The accused/petitioner is not named in the FIR
and apprehending his arrest in connection with Jamui P.S.
Case No.679 of 2024 registered under Sections 303(2) and
317 Bhartiya Nyaya Sanhita, 2023 (in short 'B.N.S.').

3. As per FIR, the tractor (i.e. both tailor and
engine) of informant alleged to be stolen by unknown
persons.

4. It is submitted by learned counsel appearing for
petitioner that one Golu Kumar was arrested in connection
with present occurrence, who, in police custody made his
confession naming the petitioner as one of his accomplice. It



is pointed out that during confession two different statements appears to be made one *qua* involvement of petitioner and another as this petitioner after committing theft sold trailer of tractor to Golu Kumar, apprehended co-accused. It is submitted that out of local disputes and differences, the petitioner, who is an innocent farmer was implicated with present case. The petitioner is said to be a man of clean antecedent. It is submitted that after arrest of co-accused Golu Kumar, charge-sheet already submitted and in view of the recovery of stolen items from his possession, no judicial purpose shall be served by sending this petitioner to judicial custody as investigation appears completed *qua* all material aspects.

5. Learned APP opposes the prayer of bail.

6. In view of aforesaid factual submissions and by taking note of fact as recovery of trailer *prima facie* not appears to be made from the possession of this petitioner rather it was recovered from the possession of one Golu Kumar, who named this petitioner out of his confessional statement during the course of investigation, coupled with the



fact that petitioner is a man of clean antecedent and moreover the investigation on all material aspects appears completed in this case, as discussed above, accordingly, the petitioner, above-named, in the event of his arrest or surrender in the court below within a period of four weeks from today, is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Jamui in connection with Jamui P.S. Case No.679 of 2024, subject to the conditions as laid down under Section 438(2) of the CrPC/under Section 482(2) of the BNSS.

(Chandra Shekhar Jha, J.)

Sanjeet/-

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