

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55680 of 2024

Arising Out of PS. Case No.-22 Year-2024 Thana- WARISNAGAR District- Samastipur

Gunjan Kumar S/o Bhuneshwar Ray R/o Village- Dath Rupauli, P.s. -
Bishanpur, Distt. - Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amar Kumar Singh
For the Opposite Party/s : Mr. Umanath Mishra

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

2 17-01-2025 Heard learned counsel appearing on behalf
of the parties.

2. The petitioner apprehends arrest in
connection with Warisnagar P.S. Case No.22 of 2024 registered
for the offence under Sections 379 of the Indian Penal Code.

3. The allegation against the petitioner along
with other co-accused persons is to have taken away a
motorcycle bearing registration no. BR33BB0311 belongs to the
petitioner.

4. Learned counsel appearing on behalf of the
petitioner submits that the petitioner has falsely been implicated
in the present case. It is submitted that petitioner is not named in



the FIR, where, his name surfaced on the basis of confessional statement of other co-accused person, namely, Sushil Kumar. It is submitted that petitioner was not apprehended at the spot and no incriminating article has been recovered from the physical possession of the petitioner. It is submitted that petitioner is a man of clean antecedent.

5. Learned APP appearing on behalf of the State, opposes the prayer of bail of the petitioner.

6. Considering the aforesaid facts and circumstances of the case, submissions made on behalf of the petitioner and as no incriminating article has been recovered from physical possession of this petitioner, which may connect this petitioner with the present set of occurrence and as the petitioner is not named in the FIR, where, his name surfaced in this case on the basis of confessional statement of other co-accused, namely, Shushil Kumar, let the above-named petitioner be released on anticipatory bail in the event of his arrest or surrender before the trial court within a period of six weeks from today on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Samastipur in connection with Warisnagar P.S. Case No.22 of 2024 subject to



the condition laid down under Section 438(2) of Cr.P.C.

(Ramesh Chand Malviya, J)

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