

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42428 of 2026

Arising Out of PS. Case No.-23 Year-2017 Thana- KADAMKUAN District- Patna

Kamlesh Kumar S/O Karpuri Thakur R/V - Mehsaul, Ward No. 07, P/S -
Runnisaidpur, Dist - Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pushpendra Kumar Singh, Advocate
Ms. Divya Bharti, Advocate
For the Opposite Party/s : Mr. Mithlesh Kumar Khare, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 08-07-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending arrest in connection with Kadamkuan P.S. Case No. 23 of 2017 lodged on 16.01.2017, for the offence punishable under Sections 379 & 447 of the Indian Penal Code and later on, sections 411, 420, 471 & 472 of the Indian Penal Code were added.

3. As per the prosecution, FIR has been lodged against some unknown persons alleging that they have stolen the Bolero Pick-up Van of the informant from Parwati Apartment where it was parked.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He submits



that petitioner is not named in the FIR and his name has figured in this case by virtue of the confessional statement of accused Dharmendra Mishra. He submits that there is no role of the petitioner regarding the stolen vehicle of the informant and the stolen vehicle of the informant was recovered from the possession of accused Dharmendra Mishra and accused Rohit Kumar from Muzaffarpur. Counsel submits that the said accused Dharmendra Mishra in his confessional statement has taken the name of the petitioner first and explained his role and also stated that the petitioner used to help to find out customers for stolen vehicles. He further submits that the petitioner has clean antecedent and except confessional statement, there is nothing against him. Counsel also submits that one of the accused namely, Raju Mishra has already been granted anticipatory bail by the Co-ordinate Bench of this Court *vide* order dated 08.12.2017 passed in Cr. Misc. No. 50876 of 2017.

5. Learned APP for the State opposes the prayer for bail of the petitioner but fairly submits that the petitioner has clean antecedent and he has not been arrested in any case nor his name is there in the FIR as per the record. He also submits that one of the accused namely, Raju Mishra has already been granted anticipatory bail by the Co-ordinate Bench of this Court.



6. As such, in the present facts and circumstances of this case, let the above named petitioner be released on bail, in the event of arrest or surrender before the Trial Court within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) as mentioned in Section 2(1)(d) of the B.N.S.S., 2023 to the satisfaction of Additional Chief Judicial Magistrate VII, Patna, in connection with Kadamkuan P.S. Case No. 23 of 2017, subject to the conditions as laid down U/s 482(2) of the B.N.S.S., 2023.

(Dr. Anshuman, J)

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