

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.28082 of 2022**

Arising Out of PS. Case No.-106 Year-2020 Thana- BAKHTIYARPUR District- Patna

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SUJEET KUMAR Son of Ranjeet Saw Resident of village - Simari, P.S.-  
Bakhtiyarpur, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Lal Babu Singh, Advocate

For the Opposite Party/s : Mr. Satyendra Prasad, APP

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**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

2      15-11-2022                      Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 347, 341, 323, 307, 386, 387 and 34 of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and is a young boy of 20 years of age, it is next submitted that informant alleges that he was intercepted by named accused persons along with 3-4 unknown accused, who assaulted and kept his motorcycle and demanded extortion on Rs. 1 lakh and threatened if amount is not paid within ten days, he would be killed.

Learned counsel for the petitioner submits that petitioner is not named in the FIR and his name came in the



confessional statement of Saurabh, it is further submitted that confessional statement in police custody does not have any evidentiary value, it is also submitted that the alleged motorcycle was not recovered from the possession or house of the petitioner.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner and submits that from perusal of the order impugned, it would manifest that the learned Additional Sessions Judge in his order has recorded that the motorcycle was recovered from the house of the petitioner.

Learned counsel for the petitioner submits that at the time of filing of the anticipatory bail application, he did not have the case diary as such the said part of the order could not be rebutted by way of pleadings in the anticipatory bail application, but now he has copy of the case diary and from perusal of Para-27, it would manifest that the motorcycle was not recovered from the house of the petitioner.

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 trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/-



(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Bakhtiyarpur P.S. Case No. 106 of 2020 subject to the conditions as' laid down under Section 438 (2) of the Cr.P.C.

One of the bailors shall be his father 'Ranjeet Saw'.

Further, the learned trial court before accepting the bail bonds of the petitioner shall verify this fact from the case diary that as to whether the motorcycle was recovered from the house of the petitioner or not, in the event, if the motorcycle was not recovered from his house then the present anticipatory bail order shall be acted upon and in the event, if it is found that the motorcycle was recovered from his house then the present anticipatory bail order shall not be given effect.

**(Satyavrat Verma, J)**

Shivam/-

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