

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.28637 of 2022**

Arising Out of PS. Case No.-92 Year-2021 Thana- BARIYARPUR District- Munger

SURAJ KUMAR Son of Manoj Prasad Gupta @ Manoj Prasad Resident of village - Chiraiyabad, Ratanpur, P.S. - Bariyarpur, District - Munger.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Ranjeet Patel, Advocate  
For the Opposite Party/s : Mr. Harendra Prasad, APP

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

2      16-11-2022                      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 Section 121(A) and 120(B) of the Indian Penal Code read with Sections 25(1-b)a, 26(1) and 35 of the Arms Act and Sections 18B, 19 and 20 of the Unlawful Activities (Prevention) Act.

Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and the informant alleges that on secret information, Nandan Mandal was arrested who disclosed that accused persons, including the petitioner, are members of extremist group and Vijay Rajak has arranged Ranjeet and others for joining the organisation.

Learned counsel for the petitioner submits that the



petitioner has been falsely implicated in the present case, it is next submitted that the U.A.P. Act is a stringent Act and as such the police also while investigating the case should investigate seriously, it is further submitted that the name of this petitioner transpired in the confessional statement of Nandan Mandal who had also disclosed about Vijay Rajak. Learned counsel further submits that Vijay Rajak has been granted anticipatory bail *vide* order dated 07.11.2022 in Cr. Misc. No. 23010 of 2022 on the ground that he was in judicial custody in connection with Khaira P.S. Case No. 203 of 2021 and was released on regular bail by the learned Sessions Judge *vide* order dated 27.08.2021 in B.A. No. 599 of 2021 as such when the present F.I.R. came to be instituted, Vijay Rajak was already in custody and was released after the present FIR was instituted. Learned counsel thus submits that when Nandan Mandal could falsely allege against Vijay Rajak then his confessional statement implicating the petitioner also gets discredited, when petitioner admittedly is a person with clean antecedent.

Learned A.P.P. for the State opposes the prayer for anticipatory bail 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 Court below 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 court below where the case is pending/successor court in connection with Bariyarpur P.S. Case No. 92 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

**(Satyavrat Verma, J)**

Rishi/-

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