

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34539 of 2023

Arising Out of PS. Case No.-51 Year-2023 Thana- DEWARIA District- Muzaffarpur

ARBIND KUMAR son of Motilal Sharma @ Motilal Sah Village-
Kazimahmadpur Ps- Paroo Dist- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rudal Singh, Advocate

For the Opposite Party/s : Ms. Rina Sinha, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 26-07-2023 Heard the parties.

The petitioner is apprehending his arrest in connection with G.R. No. 695 of 2023 arising out of Deoriya P.S. Case No. 51 of 2023 for the offence under Sections 399, 402 and 414/34 of the I.P.C. and 25(1-b) (a), 26 and 35 of Arms Act lodged on 06.03.2023 by the informant, Uday Kumar Singh.

As per the prosecution story, due to the festival of Holi, the Police was patrolling and intercepted a motorcycle. Although the pillion rider managed to escape, one Manish Kumar was apprehended and country-made revolver as also cartridges were recovered. He gave the name of those escaped as Ranjeet Ram and Arbind Kumar (the petitioner herein).

Learned counsel for the petitioner submits that there is no allegation of any recovery/seizure of any cartridges/revolver



and also the motorcycle does not belong to him and only on the basis of confessional statement, his name has been implicated.

Learned APP opposes the prayer stating that his name has come in the confessional statement.

Considering the age of the petitioner (nineteen years), he do not have criminal antecedent and his name has come in the confessional statement, this Court is inclined to extend him the privilege of anticipatory bail with conditions.

Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Judicial Magistrate-1st Class, Muzaffarpur, in connection with G.R. No. 695 of 2023 arising out of Deoriya P.S. Case No. 51 of 2023 subject to the conditions as laid down under Section 438(2) of the Cr.P.C. subject to the following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive



dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark his attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

With the aforesaid observations, the anticipatory bail application is allowed.

(Rajiv Roy, J)

kiran/-

U		T	
---	--	---	--

