

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40583 of 2023

Arising Out of PS. Case No.-117 Year-2020 Thana- NAUTAN District- Siwan

RAJAN KUMAR @ RAJAN SAH S/O BALI RAM SAH R/O VILLAGE-
NAYA GAON, PS. HATHUA, DIST. GOPALGANJ

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bijay Prakash Singh
For the Opposite Party/s : Mr. Mohammad Sufyan

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 03-08-2023 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.
2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Section 392 of the
Indian Penal Code.
3. The informant alleges that he was intercepted by
two motorcycle borne criminals and they looted his motorcycle
on gun point.
4. Learned counsel for the petitioner submits that the
petitioner is a person with two antecedent.
5. Learned counsel for the petitioner submits that the
FIR was against unknown and the name of the petitioner
transpired in the confessional statement of Pradeep Kumar
Gupta and Deepak Kumar Gupta in police custody which does



not have any evidentiary value.

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner and submits that the petitioner has two antecedents and allegation is of committing loot at the point of gun of the motorcycle of the informant.

7. Learned counsel for the petitioner, at this stage, submits that petitioner will not abscond, rather, will cooperate in the investigation and will present himself as and when required by the Investigating Officer for eliciting the truth and proving his innocence. It is further submitted that petitioner because of his antecedents came to be implicated by Pradeep and Deepak in their confessional statement.

8. 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 Nautan P.S. Case No. 117 of 2020 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.



9. However, it is made clear that in the event if the Investigating Officer of the case files an application before the learned Trial Court bringing to its notice that the petitioner despite giving assurance to this Court is not cooperating in the investigation or is not producing himself when called, the learned Trial Court would be at liberty to cancel the bail bonds of the petitioner after recording reasons.

10. Let a copy of this order be sent to the concerned P.S. through the learned Trial Court.

(Satyavrat Verma, J)

HarshPandey/-

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