

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.47130 of 2023**

Arising Out of PS. Case No.-93 Year-2023 Thana- JOGAPATTI District- West Champaran

NIRAJ KUMAR @ ANGUWA @ NEERAJ KUMAR @ ANGUA SON OF  
SHAMBHU CHAUDHARI RESIDENT OF VILLAGE- MATKOTA, PS-  
YOGAPATTI, DISTT- WEST CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Adv.

For the Opposite Party/s : Mr. Amitesh Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH**  
**ORAL ORDER**

2      11-08-2023                      Heard Mr. Bimlesh Kumar Pandey, learned counsel  
  
appearing on behalf of the petitioner and Mr. Amitesh Kumar,  
  
learned A.P.P. for the State.

2. The petitioner apprehend his arrest in connection  
with Jogapatti P.S. Case No. 93 of 2023, dated 07.03.2023,  
registered under Sections 413, 414, 399, 402 of the Indian Penal  
Code and Section 25 (1-b)a, 26 and 35 of the Arms Act.

3. As per allegation made in the F.I.R. country made  
Pistol is recovered from co-accused Nitesh Pandey @ Bechu  
Pandey and Raja Babu Kumar Ram. Both the accused persons  
have taken the name of four persons including the present  
petitioner.

4. Learned counsel appearing on behalf of the



petitioner submits that petitioner has clean antecedent and he has been made accused only on the basis of confessional statement made by co-accused who have been taken into custody. Such statement has no evidentiary value. The petitioner deserves to be released on bail.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of pre-arrest bail to the petitioner.

6. Considering the nature of allegation made against the petitioner, the recovery of arms and ammunition is against co-accused, who were apprehended on the spot and they have taken name of the petitioner and on the confessional statement taken in the Police custody, petitioner has been made accused in the present case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Bettiah, West Champaran in connection with Jogapatti P.S. Case No. 93 of 2023, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

7. The Court below is directed to verify the criminal antecedent of the petitioner and if it is found that the petitioner



is involved in some other cases as what has been stated in paragraph no. 3 of the bail application, this order will automatically loose its force.

**(Purnendu Singh, J)**

pravinkumar/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

