

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55274 of 2023

Arising Out of PS. Case No.-150 Year-2023 Thana- BIBHUTIPUR District- Samastipur

Indrajeet Kumar @ Indrajeet Sah @ Govind Sah Son of Amarjeet Sah
Resident of Village-Mohanpur, P.S.- Bibhutipur, Distt- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Miritunjay Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 13-09-2023 Heard Mr. Miritunjay Kumar, learned counsel

appearing on behalf of the petitioner and the learned Additional

Public Prosecutor for the State.

2. The petitioner apprehends his arrest in connection
with Bibhutipur P.S. Case No. 150 of 2023, registered for the
offences punishable under Sections 147, 148, 149, 323, 341,
384, 385 and 506 of the Indian Penal Code.

3. It is alleged that in order to extort the shopkeepers,
miscreants entered into the market with arms and created terror
amongst them.

4. Learned counsel appearing on behalf of the
petitioner submits that the FIR has been instituted against 4
named accused persons, however, later on, the name of the
petitioner has sprung up on the confessional statement of one



‘Santosh Kumar’, who has allegedly took the name of 11 other persons, including the petitioner. He further submits that during the course of investigation, the CCTV installed in the market were also examined, but the petitioner was not identified in the CCTV footage, which causes serious doubt over the prosecution case. He next submits that only because of one criminal antecedent, his name has been implicated in this case, though he undertakes that he will fully co-operate in the investigation or in the proceeding of the Court.

5. On the other hand, learned counsel for the State opposed the pre-arrest bail application and submits that the allegation depicted in the FIR is serious in nature and the petitioner does not deserve sympathy of this Court.

6. Regard being had to the submissions made on behalf of the parties and considering the fact that the petitioner is neither named nor identified in the CCTV footage and his name has sprung up only on the confessional statement of co-accused, let the petitioner above named be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the



satisfaction of the learned Sub-Divisional Judicial Magistrate,
Rosera in connection with Bibhutipur P.S. Case No. 150 of
2023, subject to the conditions laid down in Section 438(2)
Cr.P.C. with the further condition that one of the bailors shall be
the own/close family members of the petitioner.

(Harish Kumar, J)

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