

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5087 of 2024

Arising Out of PS. Case No.-127 Year-2023 Thana- GURARU District- Gaya

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1. Deepak Kumar S/o Nanhku Yadav R/o Village Kahulog (Sinduyar), PS Barachatti (Mohanpur) Dist Gaya
 2. Sangam Kumar S/o Umesh Prasad Gupta R/o vill-Sinduyar, P.S-Barachatti (Mohanpur), Distt.-Gaya

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Kumar

For the Opposite Party/s : Mr. Dinesh Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 23-02-2024 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 401, 413 and 414 of the Indian Penal Code.

3. Learned counsel for the petitioners submits that petitioner no. 1 has antecedent of one case and petitioner no. 2 is a person with clean antecedent. It is next submitted that they have been falsely implicated in the present case based on confessional statement of apprehended accused in police custody which does not have any evidentiary value. It is next submitted that the informant alleges that named accused persons



were apprehended while they were gossiping sitting on a motorcycle and they disclosed the name of the petitioners who fled on seeing the police and also disclosed that they are involved in committing theft of motorcycles and they run a gang of which petitioner no. 1 is the leader.

4. The learned counsel next submits that the entire allegation is based on confessional statement of apprehended accused which is a weak evidence. It is next submitted that the petitioners will not abscond rather will co-operate in the investigation.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

6. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their 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. 25,000/- (Rupees Twenty Five Thousand) each 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 Guraru P.S. Case No. 127 of 2023 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.



7. 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 petitioners despite giving assurance to this Court are not co-operating in the investigation, in that event the learned Trial Court shall be at liberty to cancel the bail bonds of the petitioners.

8. It is made clear clear that if after investigation charge sheet is submitted by the police connecting the petitioners with the offence in that event the present anticipatory bail order shall lose its effect.

9. Accordingly, the present anticipatory bail application stands allowed.

(Satyavrat Verma, J)

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