

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6382 of 2024

Arising Out of PS. Case No.-181 Year-2023 Thana- SABAUR District- Bhagalpur

Piyush Kumar, S/o Shankho Mandal @ Shankar Mandal R/o Village -
Shankarpur, P.S. - Sabour, Dist. - Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kamal Kumar Sinha, Advocate

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

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH

ORAL ORDER

2 17-02-2024 Heard Mr. Kamal Kumar Sinha, learned counsel
appearing on behalf of the petitioner and Mr. Ajit Kumar,
learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Sabour P.S. Case No. 181 of 2023 dated 31.03.2023
registered for the offence(s) punishable under Sections 399, 402
of the Indian Penal Code and Section 25(1-b)a, 26 and 35 of the
Arms Act.

3. As per the allegation made in the FIR lodged by a
police officer, who was told by a truck driver that 5 to 6
criminals are engaged in looting at the point of arms.

4. Learned counsel appearing on behalf of the
petitioner submitted that two persons were arrested who
disclosed the name of the petitioner. Learned counsel further
submitted that petitioner is innocent and due to enmity, the



accused persons have named the petitioner in the police custody, which has no evidentiary value. The petitioner has clean antecedent and deserves to be released on bail.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Considering the facts and circumstances of the case, the petitioner, above named, is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhagalpur in connection with /Sabour P.S. Case No. 181 of 2023, subject to the conditions 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 lose its force

(Purnendu Singh, J)

Sanjay/-

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