

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16804 of 2024

Arising Out of PS. Case No.-235 Year-2022 Thana- NASRIGANJ District- Rohtas

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Satyam Kumar @ Bobby Son of Mahendra Singh Resident of Village- Bank,
P.S.- Akorhi Gola, Dist.- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jai Prakash Singh
For the Opposite Party/s : Mr. Jai Narain Thakur

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 24-06-2024 1. Heard learned counsel for the petitioner, Mr. Jai Prakash Singh and learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Section 394 of the Indian Penal Code.

3. Learned counsel for the petitioner submits that petitioner has antecedent of one case but then the said case is Nasriganj P.S. Case No. 236 of 2022 and the instant case, in which the petitioner is seeking anticipatory bail, is Nasriganj P.S. Case No. 235 of 2022, as such, the antecedent of the petitioner is subsequent to the institution of the present case. It is next submitted that when the instant Nasriganj P.S. Case No. 235 of 2022 was instituted at that time petitioner was a person with clean antecedent and he came to be implicated based on



confessional statement of apprehended accused in police custody with respect to an offence of road robbery where unknown miscreants are alleged to have looted the informant and even fired causing injury to Chhotu who was accompanying the informant.

4. Learned counsel for the petitioner submits that confessional statement of co-accused in police custody does not have any evidentiary value. It is also submitted that apprehended accused in their confessional statement have not named the petitioner as the one who fired at Chhotu rather have stated that Bhowali @ Amit Kumar was sitting on the rear seat of the motorcycle carrying firearm. It is, thus, submitted that it was Bhowali @ Amit Kumar who fired at Chhotu causing injury. It is next submitted that petitioner is a student and is studying at Bikramganj College, Rohtas.

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

6. 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 **Provisional anticipatory bail** on furnishing bail bonds of Rs.



25,000/- (Rupees Twenty Five 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 Nasriganj P.S. Case No. 235 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. One of the bailors of the petitioner shall be his father, Mahendra Singh.

8. It is made clear that petitioner on obtaining provisional anticipatory bail, within two weeks of the same, shall file a petition before the learned Trial Court bringing his 10th (matriculation), 12th (intermediate) and identity card of the college on record and in the event if the said documents are not brought on record before the learned Magistrate within two weeks on obtaining provisional anticipatory bail, the learned Trial Court shall forthwith cancel the bail bonds of the petitioner and shall take all coercive steps to ensure that petitioner is behind bar, but if the aforesaid documents are brought on record within the time aforesaid, the provisional anticipatory bail shall be confirmed on the same terms and condition.

(Satyavrat Verma, J)

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