

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27761 of 2024

Arising Out of PS. Case No.-95 Year-2021 Thana- RAJEPUR District- East Champaran

SUNIL KUMAR S/O KODAI BHAGAT R/O VILLAGE- BAKHRI, P.S.
RAJEPUR, DISTRICT- EAST CHAMPARAN.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Jitendra Kumar Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 19-07-2024 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 379, 413,
414 and 120(B)/34 of the Indian Penal Code.

3. Learned counsel for the petitioner submits that
petitioner has antecedent of two cases and has been falsely
implicated in the instant case during the course of investigation.
It is further submitted that the FIR was instituted against
unknown by the informant alleging that his motorcycle was
stolen away. It is next submitted that petitioner came to be
implicated based on the confessional statement of apprehended
accused during the course of investigation which does not have
any evidentiary value in the eye of law. It is also submitted that
similarly situated co-accused Chhotu Singh @ Nishant Kumar



has been granted the privilege of anticipatory bail by an order dated 14.03.2024 in Cr. Misc. No. 13042 of 2024. It is further submitted that petitioner will not abscond rather will cooperate in the investigation.

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

5. 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 Court below 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) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Rajepur P.S. Case No. 95 of 2021, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

6. One of the bailors of the petitioner shall be his father, namely, Kodai Bhagat.

7. However, it is made clear that if the investigating officer of the case files an application bringing to the notice of the learned court below that petitioner despite giving assurance to this Court is not cooperating in the investigation, the learned



court below shall be at liberty to forthwith cancel the bail bonds of the petitioner after recording reasons and shall also take all coercive steps to ensure that petitioner is behind bar.

8. It is further made clear that if the police after investigation submits charge-sheet connecting the petitioner with the offence in that event the present anticipatory bail order shall lose its effect.

(Satyavrat Verma, J)

Kundan/-

U		T	
---	--	---	--

