

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32945 of 2024

Arising Out of PS. Case No.-494 Year-2023 Thana- SHAHKUND District- Bhagalpur

Chikku Kumar @ Chikku Singh @ Chikku Kumar Singh, Son of Pankaj Kumar Singh, Resident of village - Banama, P.S.- Shahkund, District - Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Swapnil Kumar Singh, Advocate

For the Opposite Party/s : Mr. Md. Anzarul Haque Sahara, Advocate

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 28-05-2024 Heard Mr. Swapnil Kumar Singh, learned counsel appearing on behalf of the petitioner and Mr. Satyendra Narayan Singh, learned Additional Public Prosecutor for the State.

2. The petitioner apprehends his arrest in connection with Shahkund P.S. Case No. 494 of 2023, registered for the offences punishable under Section 392 of the Indian Penal Code.

3. Allegedly while the informant was returning to his home, in the mean time two persons who were masked, blocked the road and on the point of pistol snatched Rs. 5,000/- and his mobile.

4. Learned counsel appearing on behalf of the petitioner contended that the occurrence has taken place on



14.11.2023, however, the FIR has been instituted on 15.11.2023 against the unknown four miscreants. During the course of investigation the Investigating Officer came to know that the looted mobile phone is being used by one Ashish Kumar and on interrogation this co-accused Ashish Kumar confessed that he purchased the mobile from one Chandresh Kumar Singh @ Chintu Singh. On being apprehended, co-accused Chandresh Kumar, disclosed the name of the petitioner as one of the accomplice. Save and except the confessional statement before the police, which in the humble submission of the petitioner is not admissible, there is no other material suggesting the complicity of the petitioner. In paragraph 10 of the bail application the petitioner has submitted the reason for his false implication in the confession made by Chandresh Kumar. Learned counsel for the petitioner further contended that the petitioner is a student of BA, Part 1, and if he would be sent behind the bar, his entire career would be jeopardized. He lastly contended that the petitioner is man of fair antecedent.

5. On the other hand, learned counsel for the State opposed the pre-arrest bail application and submitted that the name of the petitioner has been disclosed by the main accused.

6. Regard being had to the submissions made on



behalf of the parties and considering the fact that the petitioner is a student having fair antecedent and save and except there is confessional statement, 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 Chief Judicial Magistrate, Bhagalpur in connection with Shahkund P.S. Case No. 494 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. It is further directed that at the time of furnishing bail bond, the petitioner shall also submit the photo copies of the original paper of his admission or identity card in order to show *bonafide* of his being student of “Bachelor of Arts”.

(Harish Kumar, J)

supratim/-

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