

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.35351 of 2024**

Arising Out of PS. Case No.-20 Year-2024 Thana- TARAIIYA District- Saran

Bittu Kumar Son of Late Satya Narayan Singh Kushwaha Resident of Village  
- Taraiya, P.S. -Taraiya, Distt - Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Jeetendra Narayan, Advocate  
For the Opposite Party/s : Mr. Aditya Narayan Singh. I

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD**  
**ORAL ORDER**

2      04-06-2024      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner in the present case is seeking pre-arrest bail in connection with Taraiya P.S. Case No. 20 of 2024 corresponding to G.R. No. 468 of 2024 registered for the offences punishable under Sections 399, 402 of the Indian Penal Code and Section 25(10-b)a/26/27 of the Arms Act. He has got no criminal antecedent.

3. As per the prosecution story, on the basis of secret information, when the informant along with police force reached at bridge of canal at Rambagh, on seeing the police party, some persons started fleeing away. It is alleged that on chase, three persons were caught on the spot who disclosed their name at Abhijit Kumar, Chandan Kumar Sharma and Arun



Kumar Manjhi. They asked that the persons who fled away are Bittu Kumar (petitioner) and his friend. Thereafter, the police made search to the apprehended persons and recovered one country made pistol, one live cartridge and one mobile phone.

4. Learned counsel for the petitioner submits that the petitioner was not arrested on the spot and he has been brought within the purview of the investigation on the basis of so-called statement of the apprehended accused in the police custody. It is submitted that nothing has been recovered from the house of the petitioner.

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioner.

6. Having regard to the submissions that the petitioner was not arrested on the spot and he has been brought within the purview of the investigation on the basis of so-called statement of the apprehended accused in the police custody, nothing has been recovered from his house and the petitioner has no criminal antecedent, hence, this Court directs that in case of his arrest or surrender within a period of four weeks from today, the petitioner above named be released on bail in connection with Taraiya P.S. Case No. 20 of 2024 corresponding to G.R. No. 468 of 2024 on furnishing bail bond of Rs. 25,000/- (Rupees



Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. 1<sup>st</sup> Saran at Chapra subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

7. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

8. This application stands allowed.

**(Rajeev Ranjan Prasad, J)**

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