

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.34754 of 2024**

Arising Out of PS. Case No.-263 Year-2023 Thana- VIJAYEPUR District- Gopalganj

Sonu Kushwaha, S/o Chandradeo Bhagat @ Chandev Kushwaha R/o vill -  
Ghat Bandhaura, P.S. - Vijaipur, Distt. - Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                          |   |                                              |
|--------------------------|---|----------------------------------------------|
| For the Petitioner/s     | : | Ms. Supriya Kumari<br>Mr. Kumar Harshvardhan |
| For the Opposite Party/s | : | Mr. Raj Ballabh Singh                        |

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

- 3      10-09-2024                      1. Heard learned counsel for the petitioner and learned APP for the State.
2. The petitioner seeks bail in anticipation of his arrest in a case registered for the offences punishable under Sections 413, 414 and 34 of the Indian Penal Code.
3. The learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and the informant alleges that Arvind and Nadim were apprehended and were asked to produce the documents relating to the motorcycle, but they were not able to produce any documents and they disclosed the name of petitioner and Sawan Kumar.
4. The learned counsel for the petitioner submits that petitioner was not apprehended from the spot, as such, nothing



was recovered from his conscious possession. It is also submitted that his name transpired in the case based on confessional statement of apprehended accused in police custody, which does not have any evidentiary value. It is next submitted that though the FIR has been instituted under Section 413 of the I.P.C. also, which deals with habitual offender, but then, petitioner is a person with clean antecedent. It is also submitted that petitioner will not abscond rather will cooperate in the investigation and Arvind, who was apprehended, has already been granted the privilege of regular bail by the learned District Court, as such, no useful purpose would be served by sending the petitioner to jail.

5. Learned A.P.P. opposes the anticipatory bail application.

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 Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-V, Gopalganj in connection with Vijaipur P. S. Case No.263 of



2023, subject to the conditions laid down under Section 438(2)  
of the Cr.P.C.

7. The application stands allowed.

(Satyavrat Verma, J)

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