

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41659 of 2024

Arising Out of PS. Case No.-24 Year-2024 Thana- KANHauli District- Sitamarhi

Sonu Kumar Son Of Sikandar Mahto R/O- Vishanpur Aadhar @ Vishnupur
Adhar, P.S. Kanhauli, Dist. - Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Santosh Kumar

For the Opposite Party/s : Mr. Surendra Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 22-07-2024 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 399, 402, 414 of the Indian Penal Code & Section 25(1-b)a, 26 and 35 of the Arms Act.

3. Learned counsel for the petitioner submits that petitioner is a person with clean antecedent and is a young boy aged about 22 years and has been implicated in the instant case by the informant based on confessional statement of apprehended accused in police custody, which does not have any evidentiary value. It is next submitted that the informant alleges that on 22.02.2024 at 23.30 hours, he received a secret information that some miscreants have gathered at the place of



occurrence for committing an offence, accordingly, the informant along with police force reached the place of occurrence, where three accused were apprehended, namely, Ashik Sheikh, Jumaid Sheikh and Pintu Mandal, while some miscreants succeeded in fleeing away. Further, the apprehended accused disclosed the name of the petitioner and Tinku Mandal and on search arms and ammunition were recovered from the apprehended accused. The learned counsel submits that petitioner was not apprehended from the spot, as such, nothing was recovered from his conscious possession and he came to be implicated based on confessional statement of apprehended accused in police custody, which does not have any evidentiary value. It is next submitted that the petitioner is a young boy with clean antecedent and in the event if he is sent to judicial custody, in the nature of allegation as alleged, his entire career would get jeopardized and chances are bright that he may contact with hardened criminals which will further hamper his future career but then submits that petitioner will not abscond rather will co-operate 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 trial court where the case is pending/successor court in connection with Kanhaul P.S. Case No.24/2024, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

6. Further, one of the bailors of the petitioner shall be his father, namely, Sikandar Mahto.

(Satyavrat Verma, J)

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