

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41713 of 2023

Arising Out of PS. Case No.-467 Year-2022 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

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ROHIT KUMAR S/O DHANRAJ RAY R/O Village- Pharpura, Jitiyarpur,
P.S- Samastipur Mufassil, Distt.- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dilip Kumar Roy, Advocate

For the Opposite Party/s : Mr. Uma Shankar Prasad Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

5 19-02-2024 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 Section 392 of the
Indian Penal Code and Sections 25(1-b)a and 35 of the Arms Act.

3. Learned counsel for the petitioner submits that
petitioner has antecedent of one case.

4. Allegation is of snatching of a bag of the informant
containing Rs.22,245/-, tab, mobile, biometric along with cash of
Rs.3,000/- from the friend of the informant.

5. Learned counsel for the petitioner submits that
petitioner was not arrested from the spot. It is further submitted
that petitioner came to be implicated based on confessional
statement of co-accused in police custody which does not have any
evidentiary value in the eye of law. It is next submitted that



petitioner will not abscond rather will cooperate in the investigation.

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

7. 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.10,000/- (Rupees Ten 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 Samastipur Mufassil P.S. Case No. 467 of 2022, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

8. However, it is made clear that in the event if the investigating officer of the case files an application before the learned trial court bringing to its notice that petitioner despite giving assurance to this Court is not cooperating in the investigation in that event the learned trial court shall be at liberty to cancel the bail bonds of the petitioner.

(Satyavrat Verma, J)

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