

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47429 of 2024

Arising Out of PS. Case No.-713 Year-2023 Thana- JAKKANPUR District- Patna

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AMIT KUMAR S/O MADAN KUMAR PASWAN @ MADAN PASWAN
R/O MOHALLA- BADA KUAN GALI, DEVI ASTHAN, PURANI
JAKKANPUR, PATNA, P.S- JAKKANPUR, P.O- G.P.O, DISTT.- PATNA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jogendra Kumar

For the Opposite Party/s : Md. Fahimuddin

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 27-08-2024 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 394 of the Indian Penal Code.
3. Learned counsel for the petitioner submits that petitioner is a person with clean antecedent and the informant alleges that on 20.12.2023, three miscreants wearing helmets entered her house and looted her golden chain on point of pistol and thereafter fled away.
4. Learned counsel for the petitioner submits that FIR was instituted against unknown and during the course of investigation, the police apprehended Ranjit who disclosed the



name of the petitioner in his confessional statement. The learned counsel submits that confession made before police does not have any evidentiary value. It is also submitted that petitioner is a student of B.D. Evening College, Patna as would manifest from *Annexure-2* to the anticipatory bail application. It is next submitted that petitioner will not abscond rather will co-operate in the investigation to prove his innocence that he was not present at the place of occurrence.

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

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 trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 50,000/- (Rupees Fifty 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 Jakkanpur P.S. Case No. 713 of 2023 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. One of the bailors of the petitioner shall be his father, Madan Kumar Paswan @ Madan Paswan.



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 co-operating in the investigation or is not presenting himself as and when required, in that event the learned Trial Court shall be at liberty to forthwith cancel the bail bonds of the petitioner after recording reasons.

9. Let a copy of this order be sent to the concerned P.S. through the learned Trial Court.

10. **Accordingly, the instant anticipatory bail application stands allowed.**

(Satyavrat Verma, J)

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