

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53651 of 2024

Arising Out of PS. Case No.-97 Year-2024 Thana- TURKAULIYA District- East Champaran

Aditya Kumar, aged about 25 years (M), S/O Motilal Sahani @ Motilal Sahni,
R/O Village- Raghunathpur, P.S- Raghunathpur O.P., Distt.- East Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Abhishek Kumar, Advocate

For the Opposite Party : Mr. Vinod Shanker Modi, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 20-09-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Turkauliya (Raghunathpur) P.S. Case No. 97 of 2024 dated 09.02.2024 registered for the offences punishable under Sections 399, 402, 414 of the I.P.C. and Sections 25(1B)a, 26 of the Arms Act.

3. As per the prosecution case, police apprehended the co-accused Vicky Kumar, Akhilesh Kumar and Aashish Jha while they were making preparation of committing crime, and from their possession, arms were recovered and who have disclosed the name of the petitioner and the co-accused person Rahan.



4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in the present case. It is submitted that the petitioner was not apprehended on the spot. No incriminating article has been recovered from his possession. The name of the petitioner has come in the present case on the basis of the co-accused persons, namely, Vicky Kumar, Akhilesh Kumar and Ashish Jha. Except the confessional statement of the aforesaid co-accused persons, there is no substantive evidence to suggest the implication of the petitioner in the present case. He has no concern with the alleged offence. The other co-accused person, Aashish Jha @ Aashis Jha has already been granted regular bail by a Bench of this Court vide Cr. Misc. No. 39131 of 2024 under order dated 27.06.2024. The petitioner has three criminal antecedents in which he is on bail as stated in paragraph no. 3 of the bail application.

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

6. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his arrest/surrender before the learned court below within a period of six weeks from today, be enlarged on anticipatory bail on



furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned 8th A.C.J.M., East Champaran, Motihari, in connection with Turkauliya P.S. Case No. 97 of 2024, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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