

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62561 of 2024

Arising Out of PS. Case No.-603 Year-2021 Thana- MADHEPURA District- Madhepura

PREM SAGAR KUMAR S/O SAHINDRA YADAV R/O VILLAGE-
GHOPA WARD NO.-11, P.S- MADHEPURA (PARMANANDPUR O.P.),
DISTT.- MADHEPURA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Uday Chand Prasad

For the Opposite Party/s : Mr. Rabindra Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 3 06-09-2024 1. Heard learned counsel for the petitioner and learned A.P.P. for the State, Mr. Rabindra Kumar.
2. The defects, as pointed out by the office, are ignored.
3. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 147, 148, 149, 323, 307, 506 and 34 of the Indian Penal Code read with Section 27 of the Arms Act.
4. Learned counsel for the petitioner submits that police after threadbare investigation, came to a considered conclusion that petitioner is innocent and thus submitted final form exonerating the petitioner of the allegation, but then the learned Magistrate differing with the police report took cognizance and thus petitioner apprehends his arrest.
5. The learned counsel for the petitioner further submits that final form has been brought on record by way of a supplementary affidavit (Annexure-3). It is next submitted that when one investigating agency after threadbare investigation has



come to a considered conclusion that petitioner is innocent whether it would be prudent for this Court to send the petitioner to jail based on an order of cognizance which came to be taken based on the same investigation which found the petitioner innocent. It is next submitted that petitioner will not abscond rather will co-operate in the trial.

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 trial court 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 trial court where the case is pending/successor court in connection with Madhepura (Parmanandpur O.P.) P.S. Case No. 603 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

8. Accordingly, the instant anticipatory bail application stands allowed.

(Satyavrat Verma, J)

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