

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59561 of 2024

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

Vishal Kumar S/O Hit Paswan @ Sudhir Pawan R/O Mangal Akhara, Kali Sthan, P.S- Malsalami, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhimanyu Deo

For the Opposite Party/s : Mr. Shahabuddin Azeem @ S. Azeem

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 18-09-2024 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 offence 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 F.I.R. was instituted against unknown with an allegation that on 20.12.2023, three miscreants wearing helmets entered the house of informant and looted her golden chain on point of pistol and thereafter fled away. The learned counsel submits that during the course of investigation one Ranjit was apprehended, who disclosed the name of Rakesh, Sonu, Vijay @ Kadar Khan, Sumit @ Pappu Pyaza and Amit. It is submitted that even from



Ranjit some looted articles were recovered. It is further submitted that though some looted articles were recovered from Ranjit but then Ranjit has not taken the name of the petitioner. It is submitted that based on the confession of Ranjit, Kadar Khan was arrested, who disclosed the name of this petitioner. It is submitted that apart from Kadar Khan, none of the apprehended accused has taken the name of the petitioner in the occurrence. It is also submitted that Amit Kumar has been granted the privilege of anticipatory bail by this Court by an order dated 27.08.2024 in Cr. Misc. No.47429/2024.

4. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner and submits that though Ranjit might not have taken the name of the petitioner but then his name transpired in the confessional statement of Kadar Khan. It is also submitted that Amit Kumar was granted the privilege of anticipatory bail being a student of B.D. Evening College but then in the instant anticipatory bail application, no pleading has been made that as to what the petitioner does.

5. The learned counsel for the petitioner submits that petitioner is also a student and he will not abscond rather will co-operate in the investigation to prove his innocence.

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 Court below 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.713/2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. Further, one of the bailors of the petitioner shall be his father, namely, Hit Paswan @ Sudhir Pawan @ Sudhir 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 his notice that the petitioner despite giving assurance to this court is not co-operating in the investigation, in that event the learned trial court shall be at liberty to cancel the bail bonds of the petitioner.

9. At this stage, the learned counsel for the petitioner seeks permission to rectify the alias name of the father of the petitioner, in the cause title. It is submitted that alias name of the father of the petitioner is Sudhir Paswan but inadvertently the



same has been recorded as Sudhir Pawan.

(Satyavrat Verma, J)

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