

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.59440 of 2024**

Arising Out of PS. Case No.-359 Year-2023 Thana- BAHADURPUR District- Patna

Dinbandhu Kumar @ Dinbandhu Sharma, aged about 20 years, Gender: Male, Son of Satyendra Pandey, Resident of Village- Kanali, P.S.- Sahpur, District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                          |   |                                                                                                                                             |
|--------------------------|---|---------------------------------------------------------------------------------------------------------------------------------------------|
| For the Petitioner/s     | : | Mr. Shiva Shankar Prasad Singh, Advocate<br>Mr. Pushpendra Priyedarshi, Advocate<br>Ms. Sweta Kumari, Advocate<br>Ms. Karunanidhi, Advocate |
| For the Opposite Party/s | : | Mr. Prem Kumar Jha, A.P.P.                                                                                                                  |

**CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH**  
**ORAL ORDER**

2      11-09-2024                      Heard Mr. Shiva Shankar Prasad Singh, learned counsel appearing on behalf of the petitioner and Mr. Prem Kumar Jha, learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection with Bahadurpur P.S. Case No. 359 of 2023 registered for the offence punishable under Sections 392 of the Indian Penal Code.

3. As per the allegation made in the FIR, informant, who is a cab driver, has alleged that one Avinash Kumar and some unknown accused persons had tried to snatch the cab of the informant and at the point of gun, they had snatched Rs. 23,000/- from his pocket.



4. Learned counsel appearing on behalf of the petitioner submitted that petitioner is innocent and has falsely been implicated in the present case. Name of the petitioner has surfaced on the basis of confessional statement made by one co-accused Pappu Tiwary in police custody and such confessional statement has no evidentiary value in the eye of law. Petitioner is a student of reputed institution. Petitioner has clean antecedent. On these grounds, petitioner seeks to be released on pre-arrest bail.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Considering the rival submissions made on behalf of the parties, as well as, the fact that the name of the petitioner has surfaced on the basis of confessional statement made by one co-accused Pappu Tiwary in police custody and such confessional statement has no evidentiary value in the eye of law. Petitioner has clean antecedent. I am of the opinion that petitioner has, *prima facie*, made out a case to be released on pre-arrest bail.

7. The petitioner, above named, is directed to be released on pre-arrest bail, in the event of his/her arrest or surrender before the Court below within a period of four weeks



from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1<sup>st</sup> Class, Patna City, in connection with Bahadurpur P.S. Case No. 359 of 2023, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

**8. The Court below is directed to verify the criminal antecedent of the petitioner as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioner as what has been stated in paragraph no. 3, this order will lose its force automatically.**

**(Purnendu Singh, J)**

Niraj/-

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