

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.78247 of 2023**

Arising Out of PS. Case No.-589 Year-2023 Thana- TURKAULIYA District- East  
Champaran

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Bhutan Kumar @ Ranjan Kumar Son of Laxmi Sah @ Duggi Sah R/o vill -  
Turkauliya, Distt - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Sanjay Kumar, Adv.

For the Opposite Party/s : Mr. Yogendra Kumar, APP

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**CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN**  
**ORAL ORDER**

4      03-04-2024                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner is apprehending arrest in connection  
with Turkauliya P.S. Case No. 589 of 2023 lodged on  
23.05.2023 for the offences punishable under Section 393 of the  
Indian Penal Code read with sections 25(1-b)a/26/35 of the  
Arms Act.

3. As per the prosecution story, the informant's tractor  
has been tried to be looted by three persons who visited with  
their Apache motorcycle and started assaulting the informant  
and subsequently, apprehended by the villagers and handed over  
to the police. FIR has been lodged against three named persons.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel also submits that from bare reading of the FIR, it is crystal clear that there were three named accused persons who were involved in commission of the crime but subsequently, apprehended by the villagers and the case has been lodged against these three persons. Counsel further submits that the petitioner has neither been named in the FIR nor there is any allegation against unknown person even. Counsel submits that criminal antecedent of the petitioner is clean and is ready to fulfill all the conditions whatsoever shall be imposed upon him.

5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that from the bare reading of the FIR, it transpires that the petitioner is not named in the FIR and three accused persons whose name is figured in this case were apprehended.

6. As such, considering the aforesaid facts and circumstances, let the above named petitioner be released on bail, in the event of arrest or surrender before the learned Court below within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (thirty thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial



Magistrate, East Champaran at Motihari, subject to the  
conditions as laid down under Section 438(2) Cr.P.C.

**(Dr. Anshuman, J.)**

Divyansh/-

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