

Arising Out of PS. Case No.-418 Year-2020 Thana- MOTIHARI MUFASIL District- East
Champanan

... .. Petitioner/s

The State of Bihar

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar
For the Opposite Party/s : Mr.Parmanand Kumar

2 12-02-2025 1. Heard learned counsel for the petitioner and

2. The petitioner apprehends his arrest in a case

registered for the offences punishable under Section 394 of the Indian Penal Code and Section 27 of the Arms Act.

3. Learned counsel for the petitioner submits that petitioner is a person with clean antecedent and runs a jewellery shop and the informant alleges that on 9-9-2020, he had come to the shop of the petitioner for getting some jewellery repaired and after getting the jewellery repaired, when he was returning back to his home with the jewellery, the petitioner called him several times from his mobile to inquire about his whereabouts, further, thereafter, he was intercepted by four unknown



criminals, who looted his ornaments, cash, ATM, etc; on protest, the miscreants fired causing firearm injury on his thigh.

4. The learned counsel for the petitioner submits that the petitioner has been falsely implicated in the instant case based on confessional statement of apprehended accused. It is also submitted that though informant in the FIR alleges that while he was returning back home with the repaired jewellery, when petitioner called him three-four times for knowing his whereabouts, but then he did not implicate the petitioner in the FIR. It is also submitted that it is not the case of the informant that he had informed the petitioner, when he called him, about his whereabouts and thereafter he came to be intercepted by the accused person who committed loot. It is next submitted that the petitioner is a businessman and is a person with clean antecedent and is unaware that as to why the apprehended accused confessed his name in his confessional statement. It is also submitted that the mobile number from which the informant received the call was not of the petitioner and there is no investigation on the said issue that as to who was the owner of the mobile from which the informant got a call when he was returning home. It is next submitted that the petitioner will not abscond rather will cooperate in the investigation to prove his



innocence.

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

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 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 Muffasil P.S. Case No. 418 of 2020, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. 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 its notice that the petitioner, despite giving assurance to this Court, is not cooperating in the investigation or is not presenting himself as and when required, the learned trial court shall be at liberty to forthwith cancel the bail bonds of the petitioner after recording reasons.

8. It is further made clear that if charge sheet is submitted connecting the petitioner with the offence, in that



event, the present anticipatory bail order shall lose its effect.

9. Let a copy of this order be sent to the concerned police station through the learned Trial Court.

(Satyavrat Verma, J)

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