

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14702 of 2025

Arising Out of PS. Case No.-209 Year-2017 Thana- PUNPUN District- Patna

Prakash Kumar Son of Shiv Kumar Pandit @ Shiv Kumar Upadhayay
Village-Ranipur p.s-Paliganj Dist-Patna

... .. Petitioner/s

Versus

The State of Bihar bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nagmani Kumar, Advocate
For the Opposite Party/s : Ms. Sharda Kumari, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 14-05-2025 Heard learned Counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending arrest in connection with Punpun P.S. Case No. 209 of 2017 registered on 12.06.2017 for the offenses punishable under Sections 414 and 34 of the Indian Penal Code.

3. As per the prosecution, the F.I.R. has been lodged against four named accused persons, including the present petitioner. The petitioner's name surfaced in the case on the basis of a confessional statement made by a co-accused, from whose possession the stolen motorcycle was recovered.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. It is



contended that nothing incriminating has been recovered from the possession of the petitioner, and his name has appeared in the case solely due to the confessional statement of a co-accused. It is further submitted that although the petitioner has antecedents and is accused in five other criminal cases, but he has been granted bail in all of them. Counsel also states that the case pertains to the year 2017 and the petitioner was unaware of his implication in the matter. However, the petitioner is willing to abide by any condition that may be imposed upon him.

5. Learned APP for the State vehemently opposes the prayer for bail. It is submitted that the petitioner's name finds mention in the F.I.R. following the recovery of the stolen motorcycle. It is further argued that the petitioner has approached this Court belatedly, in the year 2024, in connection with a case registered in 2017, a delay of about eight years. It is also contended that this is not merely a case based on the confession of a co-accused, but that the recovery of the stolen motorcycle corroborates the petitioner's involvement in the alleged offence.

6. Considering the above facts and circumstances, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, the prayer for anticipatory bail in connection with



Punpun P.S. Case No. 209 of 2017, pending before the learned
ACJM, Masaurhi, stands rejected.

7. However, if the petitioner surrenders before the
Trial Court within a period of six weeks from today, the Trial
Court is directed to consider and dispose of his surrender-cum-
bail application on the same day, keeping in view that the case is
triable by a Magistrate and without being influenced by the
rejection of his anticipatory bail by this Court.

(Dr. Anshuman, J)

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