

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9126 of 2025

Arising Out of PS. Case No.-293 Year-2024 Thana- KOILWAR District- Bhojpur

Mallu @ choli @ Ashish Kumar S/O Chhotan singh @ Jitendra singh R/O
Vill.-Rajpur, P.S- Koilwar, Dist.- Bhojpur at Ara

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar Singh, Advocate

For the Opposite Party/s : Mr. Choubey Jawahar, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 07-02-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Koilwar P.S. Case No. 293 of 2024 registered for the
offences punishable under Section 310(2) of the Bharatiya
Nyaya Sanhita, 2023.

3. Prosecution case in short is that informant had gone
to collect money and while on the way, he was accosted with six
miscreants, who have snatched Rs. 4,35,000/- and other
documents whereafter, they fled away.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence as alleged
against him and has falsely been implicated in the present case.
Petitioner is not named in the FIR. Name of the petitioner has



transpired on the basis of confessional statement of co-accused, namely, Amit Kumar @ Bulle. No incriminating material has been recovered from the conscious or physical possession of the petitioner. Petitioner bears no criminal antecedent, as per disclosure made in paragraph No. 3 of the bail application.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. It is submitted that regular bail of other co-accused has been rejected *vide* order dated 21-11-2024, passed in Cr. Misc. No. 71224 of 2024.

6. Considering the rival submissions made by the learned counsel for the parties, this Court is not inclined to grant anticipatory bail. Prayer for grant of anticipatory bail is, accordingly, ***rejected***.

7. However, if the petitioner surrenders before the court below within a period of four weeks from today and prays for regular bail, the same would be considered by the court below in accordance with law without being prejudiced by the order of this Court.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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