

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8537 of 2025

Arising Out of PS. Case No.-813 Year-2020 Thana- SAHARSA SADAR District- Saharsa

1. Vivek Kumar @ Vivek Prasad Gupta Son of Ratneshwar sah Resident of Sulindabad, Ward No.05, P.S. - Saharsa, District - Saharsa
2. Gautam Kumar Son of Sarveshwar Sah @ Sarveshwar Prasad Gupta Resident of Sulindabad, Ward No.05, P.S. - Saharsa, District - Saharsa
3. Aman Kukmar Son of Sarveshwar Sah @ Sarveshwar Prasad Gupta Resident of Sulindabad, Ward No.05, P.S. - Saharsa, District - Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashi Bhushan Singh
For the Opposite Party/s : Mr. Nirmal Kumar Sinha

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 07-03-2025 1. Heard learned counsel for the petitioners, learned A.P.P. for the State and the learned counsel appearing on behalf of the informant.
2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 324, 307, 379, 504 and 34 of the Indian Penal Code.
3. Learned counsel for the petitioners submits that petitioners are persons with clean antecedent. It is next submitted that police after threadbare investigation came to a considered conclusion that petitioners are innocent and thus submitted final form exonerating the petitioners of the



allegation, but then the learned Trial Court differing with the police report took cognizance, as such the the petitioners apprehend their arrest. It is further submitted that when one Investigating Agency, after threadbare investigation, came to a considered conclusion that petitioners are innocent whether it would be prudent for this Court to send the petitioners to jail based on an order of cognizance which came to be taken based on the same police report which exonerated the petitioners of the allegation.

4. Learned A.P.P. for the State and the learned counsel appearing on behalf of the informant oppose the prayer for anticipatory bail of the petitioners, but then are not in a position to rebut the submission of the learned counsel appearing on behalf of the petitioner that police after threadbare investigation submitted final form in favour of the petitioners.

5. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their 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) each 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 Saharsa
P.S. Case No. 813 of 2020 subject to the conditions as laid down
under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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