

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13254 of 2025

Arising Out of PS. Case No.-115 Year-2024 Thana- TARABARI District- Araria

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1. Rabin Sah @ Bhutta @ Ravindra Sah S/O Arun Sah R/O Village- Pategna, Ward No.-2, P.S- Tarabari, Distt.- Araria, Bihar.
 2. Arun Sah @ Arun Kumar Sah S/O Chintram Sah R/O Village- Pategna, Ward No.-2, P.S- Tarabari, Distt.- Araria, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nishant Kumar Sinha, Advocate
For the Opposite Party/s : Mr. Tarun Prasad Mandal, Advocate

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 28-03-2025 Learned Counsel for the petitioners submits that there are two persons accused in this case. Petitioner No.2 has been arrested and, therefore, the bail application of petitioner No.2 has become infrastructure and he is moving this bail application for petitioner No.1 only.

2. Heard Learned Counsel for the petitioner and Learned APP for the State.

3. The present criminal miscellaneous application has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred to as 'the BNSS, 2023') for grant of anticipatory bail to the petitioner who apprehends arrest



in connection with Tarabari P.S. Case No. 115 of 2024, lodged on 11.10.2024, under Sections 303(2)/317(4)/3(5) of the Bhartiya Nyay Sanhita, 2023.

4. As per the prosecution, FIR has been lodged against two named accused persons other than the present petitioner.

5. Learned Counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel submits that the apprehended accused persons from whom motorcycle had been recovered had disclosed the name of the petitioner. As such, the name of the petitioner has figured in this case. Offence under Section 303(2) of the Bhartiya Nyay Sanhita, 2023 is magisterial triable.

6. Learned APP for the State opposes the prayer for bail of the petitioner.

7. As such, in the present facts and circumstances of this case, let the above named petitioner No.1 be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) as mentioned in Section 2(1)(d) of the BNSS, 2023 to the satisfaction of Chief Judicial Magistrate, Araria, in connection with Tarabari P.S. Case No. 115 of 2024, subject to



the conditions as laid down U/s 482(2) of the BNSS, 2023.

(Dr. Anshuman, J)

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