

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13761 of 2025

Arising Out of PS. Case No.-302 Year-2022 Thana- RAFIGANJ District- Aurangabad

Chandan Kumar @ Chandan Charli S/O Binod Kumar R/O Vill.- Charkawa,
P.S.- Rafiganj, Dist.- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhaskar Shankar

For the Opposite Party/s : Mr.Ram Priya Sharan Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 12-05-2025 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 413, 414,
420, 468 and 34 of the IPC.

3. The learned counsel for the petitioner submits that
petitioner has antecedent of one case and in sum and substance
the allegation is that petitioner along with others are engaged in
committing theft of motorcycles, and Rakesh, in his
confessional statement, confessed his guilt that he indulges in
stealing motorcycles with the aid of his accomplice, including
the petitioner.

4. The learned counsel for the petitioner submits that
FIR was against unknown and during the course of the



investigation, Rakesh was arrested, who in his confessional statement, disclosed the name of the petitioner. It is thus submitted that the petitioner was not apprehended from the spot as such nothing was recovered from his conscious possession, and he came to be implicated based on confessional statement of Rakesh in police custody, which does not have any evidentiary value.

5. The learned APP opposes the prayer for anticipatory bail and submits that it is a case of motorcycle theft, which has become rampant in the State of Bihar. It is also submitted that stolen motorcycles are being used in transporting liquor, and the name of the petitioner has transpired in the confessional statement of co-accused. It is further submitted that if privilege of anticipatory bail is granted to the petitioner, the petitioner may abscond, on which the learned counsel appearing on behalf of the petitioner submits that petitioner will not abscond rather will cooperate in the investigation to prove his innocence.

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. 25,000/- (Rupees Twenty-five 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 Rafiganj P.S. Case No. 302 of 2022, subject to the conditions as laid down under Section 482 (2) of the BNSS.

7. One of the bailors of the petitioner shall be his father, Binod Kumar.

8. 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, in that event, the learned trial court shall be at liberty to forthwith cancel the bail bonds of the petitioner.

9. 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.

10. 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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