

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15675 of 2025

Arising Out of PS. Case No.-178 Year-2024 Thana- TATARPUR District- Bhagalpur

Gulshan Kumar Son of Anil Kumar Akela @ A.K. Akela R/o Village-
Sardarpur, Shazadpur, P.S-Madhusudanpur, District-Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Mohammad Sufyan, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 03-09-2025 Heard Mr. Manoj Kumar Jha, learned counsel
appearing on behalf of the petitioner and Mr. Mohammad
Sufyan, learned APP appearing on behalf of the State.

2. The petitioner apprehends his arrest in connection
with Tatarpur P.S. Case No. 178 of 2024 registered under
Sections 303(2), 317(2) of the BNS.

3. As per the allegation made in the FIR, some
unknown persons stole the informant's bike bearing Registration
No.BR10S-4419, which was parked in front of Apollo
Diagnostic.

4. Learned counsel appearing on behalf of the
petitioner submitted that petitioner is innocent and he has falsely
been implicated in the present case. Petitioner is not named in
the FIR and his name has surfaced in the present case on the



basis of confessional statement of co-accused and confessional statement made before the police has no evidentiary value in the eye of law. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has clean antecedent. On these grounds, the petitioner seeks to be released on pre-arrest bail.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Considering the rival submissions made on behalf of the parties, as well as, the fact that nothing has been recovered from the conscious possession of the petitioner and also the fact that name of the petitioner has surfaced in the present case on the basis of confessional statement of co-accused and confessional statement made before the police has no evidentiary value in the eye of law, I am of the opinion that the petitioner, who is having clean antecedent, has, *prima facie*, made out a case to be released on anticipatory bail.

7. The learned District Court is directed to release the petitioner on anticipatory bail, in the event of his arrest or surrender before the learned District Court within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each, to the



satisfaction of learned Chief Judicial Magistrate, Bhagalpur in connection with Tatarpur P.S. Case No. 178 of 2024, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

8. The learned District Court is directed to verify the criminal antecedent of the petitioner, as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioner, as what has been stated in paragraph no. 3, this order will lose its force automatically.

(Purnendu Singh, J)

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