

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17986 of 2025

Arising Out of PS. Case No.-519 Year-2024 Thana- PAHARPUR District- East Champaran

Ankit Kumar S/o Sanjay Prasad Resident of village - Gadhwa , Tikuliya PS.-
Paharpur, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Rajiv Nayan, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 16-04-2025 Heard learned counsel for the petitioner and learned
APP for the State.

02. In the present case, the petitioner seeks bail in connection with Paharpur P.S. Case No. 519 of 2024 registered for the alleged offences under Sections 111, 317(3), 317(5), 61(20 of Bharatiya Nyaya Sanhita, 2023 and Section 25(1-B)a, 26, 35 of the Arms Act.

03. As per prosecution case, during night patrolling, two vehicles were intercepted by the police party and the petitioner and other co-accused persons were apprehended from one of the vehicles. From the vehicles so intercepted, bundles of electric wire, wire cutter, plastic slippers, iron frame, scissor and other articles used in cutting the electric wires from pole were recovered. Apart from stolen wires and other articles used in



committing theft of electric wire, a number of mobile phones were also recovered from the petitioner and other co-accused persons.

04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Nothing incriminating has been recovered from the person or possession of this petitioner. The petitioner was merely a passenger in the Bolero vehicle and only recovery from the petitioner is that of a mobile phone which is owned by this petitioner. The petitioner has been returning from a *Barat* and he has been apprehending along with other co-accused persons. The petitioner is having clean antecedent. The petitioner is in custody since 21.11.2024 and charge-sheet has been submitted.

05. Learned APP for the State opposes the prayer for bail.

06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the period of custody of the petitioner and his clean antecedent along with submission of charge-sheet, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief



Judicial Magistrate-IX, East Champaran at Motihari/court concerned in connection with Paharpur P.S. Case No. 519 of 2024, subject to the conditions mentioned in Section 480(3) of BNSS and the following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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