

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21912 of 2025

Arising Out of PS. Case No.-85 Year-2024 Thana- INDUSTRIAL AREA District- Vaishali

Pawan Kumar, Aged about 19 years (Male), Son of Ramashish Rai, Resident of village - Chandasi, P.S- Gaurichak, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vishwanath Prasad, Advocate

For the Opposite Party/s : Mr. Shailendra Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 23-04-2025 Heard Mr. Vishwanath Prasad, learned counsel appearing on behalf of the petitioner and Mr. Shailendra Kumar, learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection with Industrial Area P.S. Case No. 85 of 2024, registered for the offence punishable under Sections 309(4) of the B.N.S., 2023.

3. As per the allegation made in the FIR, which is against unknown, some unknown accused persons had kidnapped the son of the informant and had looted his truck bearing Registration no. BR01GD-5508 in which, altogether 143 tyers were loaded.

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



the FIR. Name of the petitioner surfaced on the basis of confessional statement made by one co-accused Anish Kumar in course of investigation. Petitioner has no concern with the alleged kidnapping and robbery of the truck in question. Petitioner has clean antecedent. On these grounds, 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 FIR is against unknown. Name of the petitioner surfaced on the basis of confessional statement made by one co-accused Anish Kumar in course of investigation. Petitioner has clean antecedent. I am of the opinion that petitioner has, *prima facie*, made out a case to be released on pre-arrest bail.

7. The petitioner, above named, is directed to be released on pre-arrest bail, in the event of his/her arrest or surrender before the learned District Court within a period of four weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Vaishali at Hajipur, in connection with Industrial Area



P.S. Case No. 85 of 2024, subject to the condition as laid down under Section 482(2) of the B.N.S.S., 2023.

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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