

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21496 of 2025

Arising Out of PS. Case No.-292 Year-2023 Thana- BARAULI District- Gopalganj

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Bittu Kumar S/O Sipahi Rai Resident of Village- Bazarmara, PS- Jamo, Dist.- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner : Mr. Adesh Raj Singh, Advocate
For the State : Mr. Satya Nand Shukla, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 01-07-2025 Heard learned counsel appearing on behalf of the petitioner and learned APP appearing on behalf of the State.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 399, 402, 414 and 34 of the Indian Penal Code, Sections 25(1-b)a, 26 and 35 of the Arms Act and Sections 8 and 20(b)(ii)(A) of the N.D.P.S. Act.

3. As per prosecution case, on search, 1 Kg Ganja, arms and ammunition, cash, ornaments and other articles were recovered from the seized Scorpio vehicle and this petitioner is alleged to have fled away from the spot.



4. It is submitted by learned counsel appearing on behalf of the petitioner that petitioner is quite innocent and has committed no offence. Petitioner is neither owner nor driver of the seized vehicle and has been made an accused in this case merely on the basis of confessional statement of co-accused persons who were apprehended on the spot. No incriminating article has been recovered from conscious possession of this petitioner. Petitioner has got one criminal antecedent of similar nature in which he is already on bail.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioner.

6. Considering the facts and circumstances of the case and the fact that no incriminating article has been recovered from conscious possession of this petitioner, the prayer for grant of anticipatory bail to the petitioner is allowed.

7. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named petitioner be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-III, Gopalganj in connection with Barauli P.S. Case No. 292 of



2023, subject to condition as laid down under Section 482(2) of
the B.N.S.S..

(Prabhat Kumar Singh, J)

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