

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 22009 of 2025

Arising Out of PS. Case No.-409 Year-2021 Thana- PHULPARAS District- Madhubani

Ashutosh Kumar @ Guddu Kumar Yadav @ Guddu Kumar Son of Pramod
Yadav @ Pramod Kumar R/O-Village- Gehuma Beriya, P.S.- Phulparas,
District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Bharti, Advocate

For the Opposite Party/s : Mr. Mohammed Arif, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 02-05-2025 Heard Learned Counsel for the petitioner and Learned
A.P.P for the State.

2. The petitioner is apprehending arrest in connection
with Phulparas P.S. Case No. 409 of 2021 lodged on
20.10.2021, for the offence punishable under Section 394 of the
Indian Penal Code.

3. As per the prosecution, when the informant was
coming on his Tata Magic then some unknown persons sitting in
white car started following him and stopped his vehicle after
overtaking. The unknown persons snatched the key of the
vehicle and assaulted the informant and fled away with the
vehicle of the informant. The F.I.R. has been lodged against
unknown persons.

4. Learned Counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. Counsel
submits that name of the petitioner has been transpired in the



present case by virtue of confessional statement. Counsel further submits nothing has been recovered from possession of the petitioner nor he was put on T.I. Parade. Counsel further submits that criminal antecedent of the petitioner is clean and, therefore, he seeks anticipatory bail.

5. On the other hand, learned APP for the State opposes the prayer for bail of the petitioner and submits that it is true that the name of the petitioner has been transpired in the present case by virtue of confessional statement, but said confessional statement is not confessional statement rather it is corroboration due to the reason that the informant has disclosed the vehicle which has been used in crime, and the same vehicle has been recovered from the accused and the accused, from whose possession the vehicle has been recovered, has disclosed the name of the petitioner.

6. In the present facts and circumstances, this Court is not inclined to grant bail to the petitioner. Accordingly, the prayer for anticipatory bail of the petitioner is hereby rejected.

(Dr. Anshuman, J)

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