

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28452 of 2025

Arising Out of PS. Case No.-282 Year-2024 Thana- KAUWAKOL District- Nawada

Manish Kumar S/o Mahesh Prasad Yadav @ Mahesh Yadav R/o Village-
Madhurapur, P.s.- Kawakol, District- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vibhuti Ranjan Sonvadra
For the Opposite Party/s : Mr. Yogendra Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 07-05-2025 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 317(4), 313, 307, 305(b), 3(5) of B.N.S., 2023 and Sections 25(1-B), (a), 26 and 35 of the Arms Act.

3. Learned counsel for the petitioner submits that petitioner has antecedent of two cases and the informant alleges that Kaushal was arrested with a stolen pick up van, who disclosed that Rahul on motorcycle is coming from behind who was acting as a liner, thereafter Rahul came, who was also arrested, the arrested accused persons disclosed the name of other accused persons including the petitioner that they had committed theft of pick up van, further a mobile of Kaushal was



also seized and when the mobile was opened by the informant he saw that accused were planning to commit crime, further at the instance of the apprehended accused persons, one country made pistol was also seized from the house of Kaushal along with ten computer sets.

4. The learned counsel for the petitioner submits that petitioner was not apprehended from the spot as such nothing was recovered from his conscious possession and he came to be implicated based on the confessional statement of apprehended accused in police custody, which does not have any evidentiary value.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner and submits that this petitioner has antecedent of two cases and the apprehended accused disclosed that petitioner along with others were involved in committing theft of a pick up van, which was recovered from Kaushal. It is also submitted that from the house of Kaushal a country made pistol along with ten computer sets were recovered. Further, there is specific allegation that informant saw the mobile of Kaushal, wherein he saw that the accused persons including the petitioner were planning to commit an occurrence and were variously armed. The learned APP thus



submits that it appears that a gang was behind such occurrences and the petitioner is also a member of the gang. It is further submitted that in the event if the privilege of anticipatory bail is granted to the petitioner, the petitioner may abscond, on which, the learned counsel appearing on behalf of the petitioner submits that petitioner will not abscond rather will co-operate in the investigation to prove his innocence.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Kawakole P.S. Case No.282/2024, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. Further, one of the bailors of the petitioner shall be his father, namely, Mahesh Prasad Yadav @ Mahesh Yadav.

8. It is made clear that in the event if the Investigating Officer of the case files an application before the learned trial court bringing to its notice that the petitioner



despite giving assurance to this court is not co-operating in the investigation in that event the learned trial court shall be at liberty to cancel the bail bonds of the petitioner.

9. It is further made clear that if charge sheet is submitted connecting the petitioner with the offence, in that event, the present anticipatory bail order shall loose its effect.

10. Let a copy of this order be sent to the concerned P.S. through the learned trial court.

(Satyavrat Verma, J)

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