

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30048 of 2025

Arising Out of PS. Case No.-124 Year-2024 Thana- MOTIHARI MUFASIL District- East
Champaran

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Kundan Kumar S/o Birendra Ram @ Virendra Ram Resident of Village -
Surajpur Ambedkar Tola, P.S. - Piprakothi, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Madhurendra Kumar
For the Opposite Party/s : Mr.Zainul Abedin

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 215-05-2025
1. Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.

2. This application, for grant of anticipatory bail, arises out of Mufassil Police Station Case No. 124 of 2024, dated 13.03.2024, disclosing offences punishable under Sections 356/379/511/414/420/467/34 of the Indian Penal Code.

3. The prosecution case, as per the First Information Report, is that on 13.03.2024, at about 12:15 PM, while the informant was going to temple for worshipping on a tempo, and reached near Balu Mandi, three persons, on a motorcycle, came and tried to snatch the mobile phone from the hand of the informant, due to which she fell



down from the tempo and the local persons tried to caught hold the persons, but two persons succeeded in fleeing away but the third person, namely, Ritesh Kumar, was caught by the people and from his possession, the looted mobile was recovered. The local persons called the police and when the police came, they handed over said Ritesh Kumar along with the motorcycle to the Police. The arrested co-accused persons disclosed the name of the petitioner and one another as the person who fled away.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case merely on suspicion and the disclosure of his name by the arrested co-accused person. He further submits that the petitioner, is in no way, was related to the co-accused Ritesh Kumar and/or the motorcycle.
5. I have heard learned Counsel for the parties concerned and have perused the material available on record, including the impugned order.
6. From perusal of the impugned order, it transpires that the co-accused Ritesh Kumar, in his confessional statement, has disclosed the active involvement of the petitioner in the alleged offence.



7. Considering the above, I do not find any reason to differ with the findings arrived at by the learned 5th Additional District and Sessions Judge, East Champaran, at Motihari, inasmuch as the case is under investigation, wherein the custodial interrogation of the petitioner may be necessary based upon the material collected by the police during course of investigation. As such, I am not inclined to grant anticipatory bail to the petitioner.
8. This application is, accordingly, dismissed.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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