

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31094 of 2025

Arising Out of PS. Case No.-144 Year-2023 Thana- GOH District- Aurangabad

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Kundan Kumar, S/O Sunil Paswan, R/O Ankodha, P.s.- Daudnagar, Dist.- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Santosh Chandra Bhaskar, Advocate

For the Opposite Party/s : Mr. Lakshmi Kant Sharma, Advocate

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 21-05-2025 Heard learned Advocate appearing on behalf of the petitioner and the learned Additional Public Prosecutor for the State.

2. The petitioner apprehends his arrest in connection with Goh P.S. Case No. 144 of 2023, registered for the offences punishable under Sections 379 of the Indian Penal Code.

3. On the fateful day when the informant went to the market for some work after parking his motorcycle near *yatri* shed and when he returned back, he found his motorcycle missing.

4. Learned Advocate appearing on behalf of the petitioner contended that the FIR has been instituted against unknown persons, however, during the course of investigation two persons, namely Subham Kumar and Ravi Ranjan Kumar



were apprehended and the name of the petitioner has surfaced on their confessional statement. Save and except the confessional statement, there is no material suggesting the complicity of the petitioner in crime. Neither any incriminating material has been recovered from the whereabouts of the petitioner, nor any material has been collected during the course of investigation. The petitioner bears fair antecedent and his case is based on parity, inasmuch as, one co-accused person whose name has also transpired in the confessional statement of co-accused person, has been allowed the privilege of anticipatory bail by a Bench of this Court in Criminal Miscellaneous No. 3044 of 2025 vide order dated 19.02.2025.

5. On the other hand, learned Advocate for the State opposed the pre-arrest bail application.

6. Regard being had to the submissions made on behalf of the parties and considering the submissions advanced on behalf of the parties and taking note of the fact that co-accused persons having identical allegation has been allowed the privilege of anticipatory bail, coupled with the fair antecedent of the petitioner, let the petitioner above named be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of



receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sub Divisional Judicial Magistrate, Daudnagar, District - Aurangabad in connection with Goh P.S. Case No. 144 of 2023, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023 with the further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

supratim/-

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