

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32479 of 2025

Arising Out of PS. Case No.-218 Year-2024 Thana- KOTWA District- East Champaran

Abhishek Singh @ Abhishek Kumar S/O Anil Kumar Singh Resident of
village- Radhaganj Rampur, P.s.- Gopalganj, District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate
For the Opposite Party/s : Mr. Umesh Lal Verma, A.P.P

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 13-08-2025 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner is apprehending arrest in connection with Kotwa P.S. Case No. 218 of 2024 lodged on 07.08.2024, for the offence punishable under Sections 338, 336(3), 340(2), 318(4), 61(2) & 3(5) of the Bharatiya Nyaya Sanhita, 2023, pending in the Court of Additional Chief Judicial Magistrate-X, East Champaran, Motihari.

3. As per the prosecution, FIR has been lodged against five named accused persons including the present petitioner. It has been alleged in the FIR that during course of checking, when the informant asked to stop the vehicle, then three persons left the vehicle and started fleeing away, but two persons were caught among whom, one of them was driver and they disclosed the name of petitioner and other accused persons. Upon search,



a bundle containing ₹500 currency notes on the top and bottom, with blank papers of the same size as currency notes placed in between, was recovered. The accused persons disclosed that they used to come from Gopalganj to Kotwa and do the work of note doubling by bluffing the innocent people.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel submits that nothing incriminating has been recovered from the petitioner's possession nor he was put on TIP. Counsel submits that name of petitioner has figured in this case on the basis of confessional statement of apprehended accused person. Counsel submits that the petitioner has been made accused in this case without any cogent evidence or material. Counsel further submits that the petitioner has two criminal antecedents in which he is on bail.

5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that in the rejection order it has been acknowledged by the Sessions Judge that the name of petitioner surfaced from the mouth of co-accused Krishna Kumar who stated that he along with other co-accused persons and petitioner used to come from the Gopalganj to Kotwa to do the work of note doubling and used to bluff the innocent people.



In paragraph nos.4 & 5 of the case diary, the witnesses have supported the prosecution case.

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 with liberty that if, petitioner surrenders before the concerned Trial Court within a period of six weeks from today then in that case, the Trial Court is directed to pass order on his surrender-cum-bail application on the same day, without being prejudice that the anticipatory bail of the petitioner has been rejected by this Court and the Trial Court shall pass order on the merit of this case.

(Dr. Anshuman, J)

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