

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34628 of 2025

Arising Out of PS. Case No.-455 Year-2023 Thana- BAHERA District- Darbhanga

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AMRESH KUMAR @ AMARESH KUMAR S/O MUKESH BHAGAT R/O
VILLAGE- WARD NO 05, GARHSISAI, PS- VIDYAPATI NAGAR,
DISTRICT- SAMASTIPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Alok Kumar Sinha, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

4 16-09-2025 Heard Mr. Alok Kumar Sinha, learned counsel

appearing on behalf of the petitioner and Mr. Mohammed Arif,

learned APP for the State.

2. The petitioner seek bail in connection with Bahera
P.S. Case No. 455 of 2023 registered under Section 395 of the
Indian Penal Code.

3. As per the allegation made in the FIR, the petitioner
along with the co-accused looted articles of the informant.

4. Learned counsel appearing on behalf of the
petitioner submitted that petitioner is innocent and he has falsely
been implicated in the present case. Learned counsel submitted
that the petitioner is not named in the FIR and his name has
surfaced in the present case on the basis of confessional



statement of co-accused namely Ankesh Kumar @ Mikal and confessional statement made before the police has no evidentiary value in the eye of law. The petitioner has clean antecedent. On these grounds, the petitioner seeks to be released on pre-arrest bail.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Having considered the rival submissions made on behalf of the parties, as well as, the fact that name of the petitioner has surfaced in the present case on the basis of confessional statement of co-accused namely Ankesh Kumar @ Mikal and confessional statement made before the police has no evidentiary value in the eye of law, I am of the opinion that the petitioner has, *prima facie*, made out a case to be released on anticipatory bail.

7. The learned District Court is directed to release the petitioner on anticipatory bail, in the event of his arrest or surrender before the learned District Court within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each, to the satisfaction of learned Chief Judicial Magistrate, Darbhanga/successor Court in connection with Bahera P.S. Case



No. 455 of 2023, subject to the condition as laid down under
Section 482 of the BNSS.

**8. The learned District Court is directed to verify
the criminal antecedent of the petitioner, as stated in
paragraph no. 3 of the bail application. If any other case is
pending against the petitioner, as what has been stated in
paragraph no. 3, this order will lose its force automatically.**

(Purnendu Singh, J)

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