

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43279 of 2025

Arising Out of PS. Case No.-173 Year-2025 Thana- HISUWA District- Nawada

Raja Kumar Son of Ashok Singh R/O Vill- Brahmpichas, P.S.- Hisua,
District- Nawada

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Krishna Deo Raj

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 21-08-2025 1. Heard learned counsel for the petitioner and learned A.P.P. for the State, Shri Chandra Bhushan Prasad.
2. The defect as pointed out by the office is hereby ignored.
3. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 111(3), 190, 191(2), 191(3), 329(3) of the Bharatiya Nyaya Sanhita and Sections 25(1-b)a, 26 and 35 of the Arms Act.
4. Learned counsel for the petitioner submits that petitioner has antecedent of four cases and the informant alleges that he got secret information that petitioner along with 10-15 accused are scuffling near Pachu road, Hisua, accordingly the informant reached the place of occurrence when Kalicharan Kumar and Aman Kumar were arrested and from possession of



Kalicharan, a loaded pistol with five live cartridges were recovered along with a mobile and from Aman, a mobile was recovered, and the apprehended accused disclosed the name of the petitioner.

5. Learned counsel for the petitioner submits that petitioner was not arrested from the spot as such nothing was recovered from his conscious possession. It is next submitted that he came to be implicated based on confessional statement of apprehended accused in police custody which does not have any evidentiary value.

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner and submits that from perusal of the allegation as alleged in the FIR, it would manifest that informant had information that this petitioner along with 10-15 persons were scuffling, when the informant reached the place of occurrence and Kalicharan along with Aman were apprehended, while other accused fled. It is also submitted that petitioner has antecedent of four cases and 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 cooperate in the investigation to prove his innocence.



7. 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 trial court 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 Hisua P.S. Case No. 173 of 2025, subject to the conditions as laid down under Section 482 (2) of the BNSS.

8. One of the bailors of the petitioner shall be his father, Ashok Singh.

9. However, 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 cooperating in the investigation, in that event, the learned trial court shall be at liberty to cancel the bail bonds of the petitioner.

10. It is further made clear that if charge-sheet is submitted connecting the petitioner with the offence, apart from confession, in that event the present anticipatory bail order shall lose its effect.



11. Let a copy of this order be sent to the concerned police station through the learned Trial Court.

(Satyavrat Verma, J)

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