

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37443 of 2025

Arising Out of PS. Case No.-255 Year-2023 Thana- SAHARSA SADAR District- Saharsa

Saurav Kumar @ Gabbar, aged about 29 years (M), S/o- Bhupendra Yadav,
R/o Vill- (Indarwa) RautaKhera, Ward No- 05, P.S- Sour Bazar, District-
Saharsa

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Madhav Jha, Advocate

For the Opposite Party : Mr. Aditya Narayan Singh.1, Advocate

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 02-07-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Saharsa Sadar P.S. Case No. 255 of 2023 dated 21.04.2023 registered for the offence punishable under Section 379 of the I.P.C. Later on, Section 411 read with Section 34 of the I.P.C. were also added.

3. As per the prosecution case, on 21.04.2023 at 11.55 O'clock, the informant parked his motorcycle in the premises of Sadar Hospital's Parking and went inside to meet patient and on return, he found his motorcycle bearing Registration No. BR-19G-3837 missing.

4. Learned counsel for the petitioner has submitted



that the petitioner is innocent and has falsely been implicated in this case. It is further submitted that the petitioner is not named in the F.I.R. His name has surfaced in the present case on the basis of the confessional statement of the co-accused Sudhir Kumar who is the co-villager of the petitioner. The said confessional statement of the co-accused has got no evidentiary value in the eyes of law. There is no recovery from the possession of the petitioner. The petitioner has no concern with the alleged offence. The petitioner is a meritorious student and he has passed Matriculation and I.A. in Ist Division and B.A. Hons., in 2nd Division with good marks and the petitioner has also completed his B.Ed. Course. The petitioner clean antecedent as stated in paragraph no. 3 of the bail application.

5. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner.

6. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail bond of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M. Saharsa in connection with Saharsa Sadar P.S. Case No. 255 of 2023,



subject to the condition as laid down under Section 482 (2) of the B.N.S.S., 2023.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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