

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44131 of 2025

Arising Out of PS. Case No.-903 Year-2024 Thana- SITAMARHI District- Sitamarhi

Deepak Kumar @ Dipak kumar S/O Sikendar Ray @ Sikindra Ray @
Sikandar Rai Resident of Village- Kararvana, Ward No 7, PS- Sursand,
District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shankar Kumar

For the Opposite Party/s : Mr.Uday Pratap Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 16-07-2025 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Sitamarhi P.S. Case No. 903 of 2024 registered for the
offences punishable under Section 309(4) of the Bharatiya
Nyaya Sanhita.

3. The learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and the informant
alleges that on 24-12-2024 at around 9:45 PM, when he was
coming from night duty, when he was intercepted by three
motorcycle borne miscreants, who on point of gun robbed his
bike along with a bag containing ATM card, RC book and
Railway ID Card.



4. Learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case during the course of investigation based on confessional statement of apprehended accused, Chunnu Kumar. It is next submitted that FIR was against unknown and during the course of investigation, the motorcycle was recovered from Ravi Kumar, who disclosed the name of Chunnu and when Chunnu was arrested, he disclosed the name of the petitioner. It is further submitted that petitioner is a bike mechanic and he had some dispute with Chunnu as a result of which he came to be implicated in the instant case.

5. Learned APP opposes the anticipatory bail application and submits that no doubt the FIR was against unknown but then it is a case of road robbery and the name of the petitioner has transpired in the case, based on confessional statement of Chunnu and the investigation is in its nascent stages.

6. At this stage, the learned counsel appearing on behalf of the petitioner submits that Chunnu had approached this Court seeking regular bail by filing Cr. Misc No. 37927 of 2025 which was allowed by a learned Co-ordinate Bench by an order dated 25-6-2025. It is thus submitted that since the person



in whose confession the name of the petitioner transpired, has been granted the privilege of regular bail as such no useful purpose would be served by sending the petitioner to jail, on which the learned APP submits that since Chunnu Kumar has been granted the privilege of regular bail, as such the petitioner is not entitled for the privilege of anticipatory bail as the name of Chunnu also transpired in the confessional statement of Ravi.

7. The Court is in complete agreement with the submission made by the learned APP, as such the Court is not inclined to extend the privilege of anticipatory bail to the petitioner.

8. Accordingly, the prayer for anticipatory bail of the petitioner is rejected.

(Satyavrat Verma, J)

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