

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43346 of 2025

Arising Out of PS. Case No.-839 Year-2024 Thana- ARA NAGAR District- Bhojpur

Mohit Kumar @ Mohit Singh Son of Subash Singh Resident of Village - Shivpur, P.S.- Ara Town, District- Bhojpur (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Uday Kumar, Advocate

For the Opposite Party/s : Mr. Nityanand, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 28-07-2025

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of anticipatory bail apprehending his arrest in connection with Ara Town P.S. Case no.839 of 2024 registered under sections 109, 126(2), 115(2), 352, 351(2), 351(3) and 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. As per the prosecution case, the informant states that on having received information about the accused persons having gathered and planning to give effect to an occurrence, a raid was conducted. While two accused persons managed to escape, one of the accused namely Manjeet Sharma was arrested. It is further stated that a loaded country made pistol was recovered from the accused who was arrested. On inquiry, he disclosed the name of the petitioner and one Prince Singh as the accused persons who had managed to escape.



4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case. He was neither arrested at the spot nor any incriminating article recovered from his possession. The only material against him is the statement of co-accused Manjeet Sharma made before police. The other co-accused Prince Singh whose case stands on a similar footing to that of this petitioner has been enlarged on bail vide order dated 20.5.2025 passed in Cr. Misc. no.32763 of 2025. The petitioner undertakes to cooperate in the investigation/trial.

5. The application for anticipatory bail is opposed by learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the nature of allegation against the petitioner in the F.I.R., the petitioner not having been arrested at the spot, no incriminating article having been recovered from the petitioner's possession and especially the case of the petitioner standing on a similar footing to the above mentioned co-accused who has been enlarged on bail vide order dated 20.5.2025, it is directed that the petitioner above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in



connection with Ara Town P.S. Case no.839 of 2024 on
furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with
two sureties of the like amount each to the satisfaction of the
learned Chief Judicial Magistrate, Bhojpur, Ara.

(Partha Sarthy, J)

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