

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49072 of 2025

Arising Out of PS. Case No.-237 Year-2024 Thana- KARPI District- Arwal

Pankaj Kumar S/o Mahendra Singh R/o Village- Haus Raj Bag, P.S.- Karpi,
District- Arwal

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shivendra Prasad

For the Opposite Party/s : Mr.Satyendra Prasad

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 11-08-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offence under Section 304/3(5) of the B.N.S.

3. As per the First Information Report, on 11.10.2024, some altercation had taken place between the family of the informant and his co-villager Bihari India Manjhi on account of land dispute in which the brother-in-law (*Jija*) of the informant sustained injury. It is alleged that after the occurrence at about 10:40 p.m., when the informant was going on his motorcycle to Primary Health Centre situated in village Karpi along with his sister and *Jija* for the treatment of his *Jija*, the fuel of motorcycle exhausted near Karpi I.T.I., then they started to proceed on foot to Primary Health Centre. In the meantime, two boys came from backside and on the false pretext of getting the fuel at Terra



Turning, the informant proceeded with the boys to Terra Turning while his sister and *jija* went to the hospital. When they reached near a Temple, one of the boys told that my mobile phone has switched off and told the informant to give his phone for calling someone. Thereafter the informant gave his phone to the boy then both the boys rushed towards the field and did not return the phone of the informant. They also snatched rupees eight thousand from the informant.

4. Learned counsel for the petitioner submits that the informant in F.I.R. has stated about only two boys but during the investigation, he submitted about four boys and named Roushan who had taken the phone from the informant on the alleged date of occurrence. He further submits that during investigation, the police came to know that one Tinku who runs a mobile repairing shop was trying to sell the mobile phone and accordingly, the police went to the shop of Tinku who disclosed that the mobile phone which he was trying to sell has been purchased from one Arman Kohli against payment of Rs.6500/-. Arman Kohli was arrested who disclosed that one Ranjeet had brought the phone to him for unlocking the same, but when he asked him to give his Aadhar Card then Ranjeet left the mobile saying that he would bring the same later and left the mobile and never turned up.



Thereafter, Arman Kohli sold the phone to Tinku. Police arrested Ranjeet who stated that on the alleged date of occurrence, he had gone to watch orchestra along with Sunny and when they were returning, they saw the informant with his motorcycle and thereafter he took the phone of the informant on false pretext and also snatched Rupees Eight Thousand from the informant. He further submits that in the entire investigation, the name of the petitioner has not been disclosed by the accused persons who were involved in the offence,. The name of the petitioner transpired on the basis of information given by the spy. As per paragraph No. 3, petitioner claims clean antecedent.

5. Learned A.P.P. for the State has opposed the bail petition.

6. Regards being had to the submissions made by the parties and taking into consideration the fact that during investigation, the co-accused persons have not disclosed the name of the petitioner, I am inclined to grant him bail.

7. In view of the above, let the above named petitioner, in the event of arrest/surrender within a period of eight weeks from today, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Arwal in



connection with Karpi P.S. Case No. 237 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/ Section 482(2) of BNSS, 2023.

(Anil Kumar Sinha, J)

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