

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45851 of 2025

Arising Out of PS. Case No.-7 Year-2025 Thana- BHAPTIAHI District- Supaul

shiv Kumar Mandal son of Bhogi Lal Mandal VILLAGE- NARAYANPUR
MURALI, WARD NO 9, P.S.-BHAPTIYAH, DISTRICT -SUPAUL

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nafisu Zzoha

For the Opposite Party/s : Ms.Renu Kumari

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

- 2 30-07-2025 1. Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Bhaptiahi Police Station Case No. 07 of 2025, dated 05.01.2025, disclosing offences punishable under Sections 304/317(2) of the Bhartiya Nyaya Sanhita, 2023.
3. The prosecution case, as per the First Information Report, is that while the informant, who is a street vendor, was selling cloths, two persons, on a motorcycle, came there and snatched the mobile phone and some cash from the pocket of the informant and when the informant raised alarm, one of the two miscreants was caught by the villagers along with the motorcycle, who disclosed his name as co-accused Suraj Kumar and the name of the petitioner as the person who was with the co-accused. The villagers handed the apprehended person along with the



motorcycle to the police.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has not committed any offence in the manner alleged. He further submits that the petitioner has got no criminal antecedent and the name of the petitioner transpired on the basis of statement of co-accused Suraj Kumar, who was apprehended by the local villagers and later on handed over to the police.
5. I have heard learned Counsel for the parties concerned and have perused the material available on record, including the impugned order.
6. From perusal of the impugned order, it transpires that the co-accused Suraj Kumar, in his confessional statement, has disclosed the active involvement of the petitioner in the alleged offence. Confessional statement of co-accused may be the basis of further investigation against the petitioner.
7. Considering the above, I do not find any reason to differ with the findings arrived at by the learned Sessions Judge, Supaul, inasmuch as the case is under investigation, wherein the custodial interrogation of the petitioner may be necessary based upon the material collected by the



police during course of investigation. As such, I am not inclined to grant anticipatory bail to the petitioner.

8. This application is, accordingly, dismissed.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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