IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50197 of 2025

Arising Out of PS. Case No.-86 Year-2025 Thana- BARH District- Patna

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Awadhesh Kumar S/O Latthu Matho R/O Railly English, P.S.- N.T.P.C, Dist.- Patna

... ... Petitioner/S

Versus

The State Of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Bhim Sen Prasad, Adv.
For the Opposite Party/s : Mr. Chandra Bhushan Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE ARVIND SINGH CHANDEL

ORAL ORDER

2 12-08-2025 Heard learned counsel for the petitioner as well as counsel for the respondent-State.

2. This is the first anticipatory bail application preferred by the petitioner to apprehend his arrest in connection with Barh P.S. Case No. 86 of 2025 registered for the offences punishable under Section 317(1), 3(5) of B.N.S.

3. According to the case of prosecution, it is alleged that on 02.02.2025 at about 03:20 A.M., during patrolling when informant Jitendra Prasad, ASI, Barh P.S along with other police party reached the spot, it was seen by them that two persons are trying to flee away from the spot on seeing the police vehicle, on chase, one person namely Anshu Kumar was arrested and the second person flee away, allegedly, the present applicant was also there who flee away from the spot. On being searched total

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600 Kgs. Of copper wire has been seized from the vehicle.

4. Learned counsel for the petitioner submits that the petitioner is innocent and is falsely implicated in this case, no copper wire has been seized from his possession and his name has been mentioned by the co-accused in his confessional statement. He further submits that the co-accused from who the copper wire was seized has also been granted benefit of regular bail. Therefore, it is prayed that on these grounds, he may be granted benefit of anticipatory bail.

5. Learned APP for the State opposes the prayer for anticipatory bail.

6. Considering the submissions put forth by both the counsels and particularly considering the fact that the copper wire has been seized from the co-accused who has been granted benefit of regular bail and further considering the fact that name of the present applicant is only mentioned in the confessional statement of the co-acused, I am of the view that the petitioner should be granted the benefit of anticipatory bail. Accordingly, the petition is allowed. The petitioner is directed to be released on bail, in the event of arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bonds of Rs. 10,000/- each with two sureties of

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the like amount each to the satisfaction of the learned A.C.J.M-1st, Barh (Patna) in connection with Barh P.S. Case No. 86 of 2025 subject to the conditions as laid down under Section 482 of the Bharatiya Nagarik Suraksha Sanhita.

(Arvind Singh Chandel , J)

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