

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50596 of 2025

Arising Out of PS. Case No.-133 Year-2024 Thana- KATHAIYA District- Muzaffarpur

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Aniket Kumar, aged 32 years (Approx), Gender-Male, S/o- Rajendra Sahni,
Resident of Mohalla- Kolhua Paigambarpur Kolhua PS- Ahiyapur District-
Muzaffarpur

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Pradeep Kumar Sinha, Advocate
For the Opposite Party : Mrs. Sharda Kumari, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 29-08-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in a case
in connection with Kathaiya (Muzaffarpur) P.S. Case No. 133 of
2024 dated 05.07.2024 registered for the offences punishable
under Sections 309(6), 109, 317(2), 111 of the B.N.S., 2023 and
Sections 25 (1-B)a, 26, 35 and 27 of the Arms Act.

3. As per the prosecution case, four unknown
miscreants boarded on two motorcycles dashed the informant
and snatched Rs. 1,00,000/- and his Pithu Bag containing
Laptop, Finger Print Scanner, Mouse, Charger, Mobile and



Passbook, thereafter they started fleeing away, in the meantime, one miscreant fired on his thigh, causing fire arms injury and he fell down. It is further alleged that with the assistance of the villagers, one of the miscreants was apprehended and from the said looted bag containing laptop etc. and a pistol were also recovered from his possession.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner is not named in the FIR. The name of the petitioner has sprung up in the confessional statement of the co-accused person, Ratnesh Kumar @ Bhutkun Kumar recorded in paragraph no. 68 of the supplementary case diary which has got no evidentiary value in the eyes of law. The petitioner is a bonafide student of B.A. Part-II and during the course of study, he got enmity with the said co-accused Ratnesh Kumar @ Bhutkun Kumar out of his friendship relation for which he had also threatened him to face dire-consequences. There is general and omnibus allegation against the petitioner. The petitioner was not arrested on the spot. He has no concern with the alleged offence. No incriminating article has been recovered from the conscious possession of the petitioner. It is further submitted that the other co-accused person, namely, Amit Kumar, has



already been granted anticipatory bail by a Bench of this Court in Cr. Misc. No. 73577 of 2024 vide order dated 23.10.2024, annexed as Annexure-2 to the present bail application. The petitioner has no criminal antecedent as stated in para 3 of the bail petition.

5. Learned A.P.P. for the State has vehemently opposed the anticipatory bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M. (West), Muzaffarpur in connection with Kathaiya (Muzaffarpur) P.S. Case No. 133 of 2024, subject to the conditions as laid down under Section 482(2) of the B.N.S.S., 2023 with further condition:-

(I) The petitioner is directed to remain physically present before the learned court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner are liable to be cancelled.



7. The application stands allowed.

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(Chandra Prakash Singh, J)

