

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49490 of 2025

Arising Out of PS. Case No.-178 Year-2025 Thana- RAJAON District- Banka

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1. Rajan Kumar son of Suresh Sharma Resident Of Village- Punsiya Basti, Ps -Rajoun, Dist- Banka
 2. Ashish Kumar @ Aashish Sharma Son of Sikandar Sharma Resident Of Village- Punsiya Basti, Ps -Rajoun, Dist- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Prakash Dwivedi

For the Opposite Party/s : Mr. Chandra Bhushan Prasad

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 12-08-2025 1. Heard learned counsel for the petitioners and learned A.P.P. for the State Mr. Chandra Bhushan Prasad.
2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 309(6), 317(2) of the B.N.S.
3. Learned counsel for the petitioners submits that petitioners are persons with clean antecedent and the informant alleges that on 15.04.2025 at about 9.15 P.M. the informant along with the co-driver of the truck were intercepted by four accused persons armed with country made pistol, further the accused assaulted the co-driver by butt of pistol causing injury on head and thereafter also snatched Rs.3000/- from the pocket



of the informant, in the meantime, patrolling vehicle arrived when Dhananjay and Shailesh were arrested and two accused managed to flee away, further from Dhananjay, a country made pistol along with cartridges were recovered and Rs.3000/- from possession of other accused Shailesh and two motorcycles were seized.

4. Learned counsel for the petitioners submits that petitioners have been falsely implicated in the instant case by the informant, based on confessional statement of apprehended accused in police custody, which does not have any evidentiary value. It is also submitted that petitioners were not present at the place of occurrence and recovery of looted amount of Rs.3000/- was recovered from possession of Shailesh.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners and submits that the informant alleges that he along with the co-driver were intercepted by four accused persons, out of whom, two were arrested and the name of the petitioners transpired in the confessional statement of apprehended accused, further the investigation is in its nascent stages and in the event if the privilege of anticipatory bail is granted to the petitioners, the petitioners may abscond, on which, the learned counsel



appearing on behalf of the petitioners submits that petitioners will not abscond rather will cooperate in the investigation to prove their innocence.

6. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned trial court where the case is pending/successor court in connection with Rajourn P.S. Case No.178/2025, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. Further, one of the bailor of the petitioners shall be their respective father, namely, Suresh Sharma and Sikandar Sharma.

8. It is made clear that in the event if the Investigating Officer of the case files an application before the learned trial court bringing to its notice that the petitioners despite giving assurance to this court are not co-operating in the investigation in that event the learned trial court shall be at liberty to cancel the bail bonds of the petitioners.



9. It is further made clear that if charge sheet is submitted connecting the petitioners with the offence apart from confession, in that event, the present anticipatory bail order shall loose its effect.

(Satyavrat Verma, J)

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