

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56689 of 2025

Arising Out of PS. Case No.-86 Year-2022 Thana- TANKUPPA District- Gaya

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Banty Kumar S/O Anuj Yadav R/O Village- Tajpur, P.S- Fatehpur, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Satyaveer Jha, Advocate

For the Opposite Party/s : Mr.Shailendra Kumar, APP

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CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA

ORAL ORDER

2 29-08-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner is apprehending his arrest in a case registered for the offence punishable under Sections 380, 461, 414 and 34 of the Indian Penal Code.

3. Allegation in the FIR is that an incident of theft took place in the shop of the informant and some other articles were stolen. Upon chase two persons Rohit Kumar and Sonu Kumar were apprehended and they had disclosed the names of other persons including the petitioner.

4. Learned counsel for the petitioner submits that it would be evident from FIR that Sonu Kumar and Rohit Kumar were the persons who were arrested from the spot and recovery was also made from them. The name of the petitioner has only transpired in this case upon the confessional statement of the apprehended accused persons which has no evidentiary value in the eye of law. As a matter of fact there is no recovery from the conscious possession of the petitioner



and similarly situated co-accused person Deepak Kumar has already been granted anticipatory bail by order dated 06.12.2022 by the court of Additional Sessions Judge-III, Gaya in ABP No. 3880 of 2022.

5. Learned APP, however, opposes the grant of anticipatory bail.

6. Taking into consideration the facts and circumstances of the case and also considering the fact that the name of the petitioner has transpired in this case on the basis of confessional statement of co-accused and similarly situated co-accused person has already been granted anticipatory bail, let the petitioner, above named, who has no criminal antecedent, in the event of his arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with **Tankuppa P.S. Case No. 86 of 2022** on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure/Section 482(2) of the B.N.S.S, 2023.

(Soni Shrivastava, J)

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