

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61377 of 2025

Arising Out of PS. Case No.-650 Year-2023 Thana- BARH District- Patna

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Suraj Kumar @ Chhotu Kumar S/O Krishna Singh Resident of Village-
Fulelpur, P.S.- Athmalgola, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar, Adv.

For the Opposite Party/s : Mr. Gauri Shankar Gupta, APP

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 10-09-2025 Heard the learned Advocate for the petitioner and the

learned APP for the State.

2. The petitioner apprehends his arrest in connection
with Barh P.S. Case No. 650 of 2023, registered for the offences
punishable under Section 392 of the Indian Penal Code.

3. Allegedly, while the informant, who was working
as Security Guard in B.P.C.P.L. Infrastructure Company Ltd.
was on duty, in the meantime, four persons came there and
caught hold of him and two persons breaking the lock of
machine had taken away two batteries and a gallon of diesel and
fled away on a motorcycle.

4. Learned Advocate for the petitioner submitted that
admittedly the FIR has been instituted against four unknown
miscreants. However, during the course of investigation, one



Rahul Kumar was arrested in connection with Athmalgola P.S. Case No. 352 of 2023, wherein he confessed about his complicity and disclosed the name of his associates, including the name of the petitioner. It is further contended that save and except the confessional statement, there is no material suggesting the complicity of the petitioner in crime. He further contended that on confession of the co-accused, 200 liters of diesel was also recovered in a poultry farm, situated beside the four-lane. No incriminating material has been recovered from the whereabouts of the petitioner. Only after coming to know about the confessional statement of the co-accused person, the petitioner has approached this Court.

5. On the other hand, learned counsel for the State opposed the pre-arrest bail application and submits that besides one criminal antecedent of the petitioner, as disclosed in paragraph no. 3, the name of the petitioner has also been surfaced during the course of investigation, based upon the confessional statement.

6. Having considered the submissions set-forth by learned Advocate for the respective parties and taking note of the fact that save and except the confessional statement, there is no other material suggesting the complicity of the petitioner in



crime, let the petitioner above named be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M. Barh (Patna) in connection with Barh P.S. Case No. 650 of 2023, subject to the conditions laid down in Section 482(2) Bharatiya Nagarik Suraksha Sanhita, 2023 with the further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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