

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67116 of 2025

Arising Out of PS. Case No.-121 Year-2021 Thana- CHANPATIA District- West Champaran

Ataur Rahman @ Atau Rahman S/o Sri Manager Miyan Resident of Village-
Kudwa Mathiya, P.S.- Chanpatia (Kumarbagh), District- West Champaran
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sharad Kumar Verma, Advocate
For the Opposite Party/s : Mr. Zainul Abedin, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 27-11-2025 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 412, 413 and 414/34 of the Indian Penal Code as well as Sections 25(1-b)a and 26 of the Arms Act, 1959.

3. Learned counsel for the petitioner submits that the petitioner has antecedent of two cases and from perusal of the allegation as alleged in the FIR, it would manifest that the informant alleges that Gulshan Kumar was arrested based on information and from his possession, a loaded country made pistol along with a mobile and a motorcycle was recovered and he disclosed that named accused persons including the petitioner have indulged in commission of several thefts, accordingly, based on his confessional statement, the informant raided the



house of Gulab Singh from where a White Coloured Apache F.T.R. motorcycle was recovered.

4. Learned counsel for the petitioner submits that name of the petitioner transpired in the confessional statement of apprehended accused in police custody which does not have any evidentiary value in the eye of law. It is further submitted that apart from confession, nothing has come during the course of investigation which could even remotely connect the petitioner with the offence. It is next submitted that similarly situated co-accused, namely, Saif Ali has been granted the privilege of anticipatory bail by a learned Coordinate Bench of this Court by an order dated 25.03.2022 in Cr. Misc. No. 12641 of 2022.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner and submits that petitioner has antecedent of two cases and his name has transpired in the confessional statement of apprehended accused and if the privilege of anticipatory bail is granted to the petitioner, the petitioner may abscond. It is further submitted that no doubt, Saif Ali was granted the privilege of anticipatory bail but then he was a person with clean antecedent and had approached the Court in time but petitioner has antecedent of two cases and he



has approached the Court at his leisure and the investigation is continuing.

6. Considering the submissions made by the learned A.P.P. for the State, the Court is not inclined to extend the privilege of anticipatory bail to the petitioner in connection with Chanpati (Kumarbagh) P.S. Case No. 121 of 2021 pending in the Court of learned Chief Judicial Magistrate, West Champaran at Bettiah/Successor Court.

7. Hence, the prayer for anticipatory bail is rejected.

(Satyavrat Verma, J)

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