

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64558 of 2025

Arising Out of PS. Case No.-562 Year-2022 Thana- DEHRI TOWN District- Rohtas

Gudu Kumar @ Guddu Kumar @ Naku @ Nanaku Son of Surendra Paswan
Resident of Village -Semara , PS -Sasaram (M) , Dist- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajani Kant Singh

For the Opposite Party/s : Mr. Arun Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 17-09-2025 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Dehri Town P.S. Case No. 562/2022 registered for the offences punishable under Sections 379, 411 and 34 of the Indian Penal Code.

3. As per prosecution case, the informant/Sub Inspector received secret information that Daroga Kumar is involved to sell the theft motorcycle. It is alleged that co-accused, Daroga Kumar disclosed the name of petitioner who is said to have involved in selling and purchasing of the stolen motorcycle. On the basis of disclosure made by Daroga Kumar, the informant reached at Ramarani Chowk and saw that three persons were sitting on two motorcycles out of three persons



two persons were apprehended and one managed to flee away and the apprehended co-accused disclosed the name of petitioner who fled away from the place of occurrence.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence as alleged in the FIR. Except disclosure of co-accused, there is nothing on record to demonstrate the complicity of the present petitioner with the alleged occurrence. Basically nothing has been recovered from the conscious possession of the petitioner. He further submits that the petitioner has neither sold any motorcycle to co-accused nor is he in any way connected with the other co-accused. He further submits that there is no direct or indirect evidence against the petitioner. Apart from that, petitioner bears no criminal antecedent. In the light of aforesaid facts and circumstances of the case, no offence is made against the petitioner in the aforesaid sections.

5. The learned A.P.P. for the State opposed the prayer for anticipatory bail of the petitioner and submitted that name of the petitioner transpired in this case on the basis of disclosure of co-accused and the petitioner cannot escape from the liability of the allegation made in FIR.

6. Considering the facts and circumstances of the



case, keeping in view clean antecedent of petitioner, argument advanced on behalf of both sides and also taking into consideration the material available on record, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Dehri, District- Rohtas in connection with Dehri Town P.S. Case No. 562/2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Alok Kumar Pandey, J)

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