

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74986 of 2024

Arising Out of PS. Case No.-23 Year-2020 Thana- KHANPURA District- Samastipur

Raushan Kumar S/O Virendra Paswan R/O Village- Sarfuddinpur Salha, P.S-
Bochha, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bijay Bhushan Prasad, Advocate

For the Opposite Party/s : Mr. Syed Ehteshamuddin, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

5 10-04-2025 Heard learned Counsel for the petitioner and

learned Additional Public Prosecutor for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Section 379 of the I.P.C.

3. The present F.I.R. relates to theft of motorcycle and the F.I.R. has been lodged against unknown persons.

4. The learned counsel for the petitioner submits that the petitioner is not named in the F.I.R., and as a matter of fact, this petitioner along with two accused persons were arrested on the basis of confession in Gayghat (Muzaffarpur) P.S. Case No. 219 of 2020 on 02.08.2020. It is stated that they confessed their guilt in the said case with

respect to the stealing of motorcycle in the present case and this is the basis upon which the name of the petitioner transpired in the present case. He further submits that except that he already remained in custody in Gayghat (Muzaffarpur) P.S. Case No. 219 of 2020 for about three months and he was never remanded in the present case. Be that as it may, there is nothing more against the petitioner but for the confessional statement of the accused before police.

5. Learned APP for the State opposes the prayer for anticipatory bail application.

6. Considering the fact that the petitioner has just one more criminal antecedent which was the connected case being Gayghat P.S. Case No. 219 of 2020 in which he has already been granted bail, let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate- 1st Class in connection with Khanpur P.S. Case No. 23 of 2020 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, with further condition that
the petitioner shall co-operate in the investigation/trial.

(Soni Shrivastava, J)

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