

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72813 of 2025

Arising Out of PS. Case No.-391 Year-2023 Thana- SHAHPUR PATORI District- Samastipur

Sudhir Kumar @ Jagu S/O Shatrudhan Singh R/O Vill.- Dharampur Bandey,
P.S.- Patory, Dist.- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Akash Kumar Mishra, Advocate

For the Opposite Party/s : Mr. Md. Aslam Ansari, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

3 22-12-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Patori (Shahpur Patori) P.S. Case No. 391 of 2023 registered for the offences punishable under Sections 341, 323, 386, 387, 379, 506 & 34 of the I.P.C. and Section 25(1-b)a, 35 of the Arms Act.

3. As per the prosecution case, the petitioner along with others, armed with pistol, surrounded the informant and started assaulting him. It is alleged that the co-accused, Kanchan Kumar, pointed his pistol at the head of the informant, while four unknown accused threatened to shoot the informant and snatched a sum of ₹5,350/- from the



informant, which was handed over to the petitioner. It is further alleged that the co-accused, Kanchan Kumar, was apprehended at the spot.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence as alleged in the FIR. It is further submitted that there is no specific overt act attributed to the petitioner and the only allegation against the petitioner is that money was handed over to him. It is submitted that the petitioner and the informant are co-villagers and the petitioner is the driver of the truck belonging to the said co-accused, Kanchan Kumar, and on that basis alone, the petitioner has been falsely implicated in the present case. No incriminating article has been recovered from the possession of the petitioner. Apart from that, the petitioner has no criminal antecedent.

5. The learned A.P.P. for the State opposed the prayer for anticipatory bail of the petitioner and submits that the petitioner is F.I.R. named accused and he cannot escape from the allegation made in the F.I.R.

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) each with two sureties of the like amount each to the satisfaction of the learned Incharge Judicial Magistrate 1st Class, Samastipur in connection with Patori (Shahpur Patori) P.S. Case No. 391 of 2023, subject to the conditions as laid down under Section 482(2) of the B.N.S.

7. The application stands allowed.

(Alok Kumar Pandey, J)

Nilmani/-

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