

Arising Out of PS. Case No.-34 Year-2025 Thana- SUKHANI District- Kishanganj

- Petitioner/s

The State of Bihar

... .. Opposite Party/s

For the Petitioner/s : Mr. Pawan Kumar Singh, Advocate
For the Opposite Party/s : Mr. Ramesh Chandra, A.P.P.

5. Learned counsel for the petitioners submits that petitioners were not arrested from the spot, as such, nothing was recovered from their conscious possession and petitioner no. 2 came to be implicated based on the fact that he is owner of the



seized vehicle. It is further submitted that no prudent person would use his own vehicle for committing an occurrence and thus would create evidence against himself and hence would get implicated. It is next submitted that petitioners were completely unaware that Suraj Kumar would misuse the vehicle in the manner as alleged who was also apprehended from the spot.

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

7. Considering the submissions made by the learned counsel for the petitioners, let the petitioners above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on provisional anticipatory bail on furnishing bail bonds of Rs.500/- (Rupees Five Hundred) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Special Case No. 128 of 2025 arising out of Sukhani P.S. Case No. 34 of 2025, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

8. It is made clear that thereafter the learned trial court shall verify the criminal antecedent of the petitioners and if it is found that petitioners have antecedent of even one case, it



would be presumed that petitioners had concealed their antecedent before this Court at para 3 of the anticipatory bail application in that event the provisional anticipatory bail order shall not be confirmed but if it is found on verification that petitioners are persons with clean antecedent in that event the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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