

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79439 of 2025

Arising Out of PS. Case No.-205 Year-2017 Thana- BARAULI District- Gopalganj

Dheeraj Kumar S/o Shankar Prasad R/o D.A.V. College Moad, Station Road,
P.s.- Siwan Town, Distt.- Siwan

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Kanchan Kumari, Advocate

For the Opposite Party/s : Mr. Lalan Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 28-11-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Barauli P.S. Case No. 205 of 2017 registered for the offences punishable under Sections 309 & 402 of the Indian Penal Code and sections 25(1-b)a, 26, 35 of the Arms Act.

3. As per prosecution case, on 26-09-2017, STF informed police that suspects were assembling at Hasmuddin's house in village Kotwa to plan a *dacoity* at the Central Bank. On 27-09-2017 at 3:30 AM, police reached the spot, saw 5-6 persons, and apprehended Hasumuiddin and Irshad Alam. From them, weapons and cartridges were recovered. Irshad Alam disclosed the names of the petitioner and co-accused as



participants in the planned dacoity.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence as alleged in the FIR and except disclosure of apprehended co-accused there is nothing on record to connect the present petitioner with the alleged occurrence. It is respectfully submitted that the petitioner has been implicated solely on the basis of the confessional statement of co-accused and the confessional statement of co-accused, in law, has no evidentiary value. Petitioner was not apprehended on the spot. Nothing was recovered from the possession of the petitioner. Petitioner bears 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, nothing has been recovered from the possession of the petitioner, 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 Additional Sessions Judge-IX, Gopalganj in connection with Barauli P.S. Case No. 205 of 2017, 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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