

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85685 of 2024

Arising Out of PS. Case No.-201 Year-2024 Thana- SURSAND District- Sitamarhi

-
1. Kaushal Kumar S/o Sogarath Rai Resident of village - Dharharwa, P.s. - Parihar, Distt.- Sitamarhi
 2. Randhir Kumar S/o Naresh Rai@Ramnaresh Rai Resident of village - Dharharwa, P.s. - Parihar, Distt.- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dwij Raj, Adv.

For the Opposite Party/s : Mr. Rajendra Prasad Nat, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 3 20-01-2025 1. Heard learned Counsel for the petitioners and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Sursand Police Station Case No. 201 of 2024, dated 29.04.2024, disclosing offences under Sections 307, 394 of Indian Penal Code and Section 27 of Arms Act.
3. As per the First Information Report, on 26.04.2024 at about 9 P.M the informant along with four persons was going on two motorcycles and reached near Jawahi High School Chaur, 6-7 unknown person opened fire upon the informant due to which the informant got gun shot injury on his left hand. It is further alleged that accused persons



fled away with the informant's motorcycle, bearing registration no. is BR06DJ5386.

4. Learned counsel for the petitioners submits that petitioners are not named in the FIR and they have been made accused on the basis of the fact that one Madhu Kumar was arrested by the police in connection with Parihar P.S. Case No. 157 of 2024 and he disclosed that motorcycle of the informant was given to him by the petitioners. He further submits that apart from the statement of the co-accused, no other material is there against the petitioners.
5. I have heard learned counsel for the parties and have perused the material available on record, including the impugned order.
6. From the materials on record, it is evident that co-accused Madhu Kumar, in his confessional statement, has disclosed the active involvement of the petitioners in the alleged offence which may be the basis of further investigation for which custodial interrogation of the petitioner may be necessary.
7. Considering the above, I do not find any reason to differ with the findings arrived at by the learned Additional



Sessions Judge-IX, Sitamarhi, inasmuch as the case is under investigation, wherein the custodial interrogation of the petitioner may be necessary based upon the material collected by the police during course of investigation. As such, I am not inclined to grant anticipatory bail to the petitioner.

8. This application is, accordingly, dismissed.

(Anil Kumar Sinha, J)

Suruchi/-

U		T	
---	--	---	--

