

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2449 of 2025

Arising Out of PS. Case No.-65 Year-2024 Thana- Kadwa District- Bhagalpur

=====

Banti Kumar @ Banti Ray Son of Sudhir Ray Resident of Village- Borwa
Tola Kadwa, P.S.- Kadwa, District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Amrendra Kumar, Advocate

For the Opposite Party/s : Ms. Renu Kumari, APP

=====

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

3 08-05-2025 Heard Learned Counsel for the petitioner and Learned
A.P.P for the State.

2. The petitioner is apprehending arrest in connection with Kadwa P.S. Case No. 65 of 2024 lodged on 08.10.2024, for the offence punishable under Sections 305, 112, 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. As per the prosecution, FIR has been lodged against three named accused persons and one unknown accused person with allegation that the accused persons have committed theft at his store and fled away by e-rickshaw, loaded with series of food items. When he compared the articles in his store, he found that some articles were stolen.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has committed no offence. It is



submitted that nothing was recovered from the possession of the petitioner. The petitioner used to sit in a small shop located in front of the informant's shop, and it is contended that the present case has been filed against him out of jealousy. He has been made accused in a false case. Learned counsel for the petitioner further submits that the criminal antecedent of the petitioner is clean and he is ready to fulfill all the conditions whatsoever shall be imposed upon him. He further submits that case diary has been called for.

5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that in the case diary the confessional statement of all accused have come and all of them have supported the event that involvement of the petitioner is there in this case.

6. In the present facts and circumstances, this Court is not inclined to grant bail to the petitioner. Accordingly, the prayer for anticipatory bail of the petitioner is hereby rejected.

7. It is hereby directed to the petitioner to surrender before the Trial Court within a period of four weeks from today. In case, the petitioner surrenders within four weeks, then the Trial Court is directed to pass order on his surrender-cum-bail application on the same day without being prejudice that the



anticipatory bail of the petitioner has been rejected by this Court
and the Trial Court shall pass order on the merit of this case.

(Dr. Anshuman, J)

Anushka/-

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

