

Arising Out of PS. Case No.-26 Year-2024 Thana- TATARPUR District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vivekanand Vivek, Advocate

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 13-07-2026 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State, Mr. Chandra Bhushan Prasad.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 341, 323, 379, 384, 386, 411, 506 and 34 of the Indian Penal Code.

3. Learned counsel for the petitioner submits that petitioner is a person with clean antecedent and the informant alleges that on 05.01.2024 at 06:00 PM he was coming home by his motorcycle, when petitioner and Ayush asked him to drop them at Adampur, on refusal, they forcibly sat on his motorcycle and brought him to a school and Niraj demanded Rs. 1 Lakh, on objection, they snatched his mobile and motorcycle and threatened keeping a blade on his neck and asked for his mobile pin which was disclosed, thereafter they tried to send Rs.



20,000/- to different accounts, but failed as his mobile battery got discharged, thereafter they called Naved and gave him the mobile for charging, but police came hence Niraj fled with his motorcycle and Naved with mobile thereafter police brought him and Ayush to the police station where Vishal was calling on mobile of Niraj and Ayush, further police got the motorcycle and mobile recovered and seized the same.

4. Learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by the informant on account of dispute relating to money. It is submitted that petitioner has a puncture shop where informant used to come for getting air filled in the tyre and for tyre repairing, but then the due money was not paid, hence, the petitioner asked for payment of the money when the instant false case came to be instituted. It is also submitted that from perusal of the allegation as alleged in the FIR, it would manifest that informant discloses that the police brought the mobile and the motorcycle to the police station, which amply demonstrates that the accused persons had not fled with the mobile and the motorcycle. It is further submitted that though it is alleged that accused persons tried transferring money to three different accounts, but then the account numbers have not been disclosed



and it does not appear probable that the battery of the mobile would have been discharged when efforts were made for transferring the amount, it is thus submitted that the allegations have been made only to give seriousness to the case. It is next submitted that if privilege of anticipatory bail is granted, the petitioner will not abscond rather will cooperate in the investigation to prove his innocence.

5. Learned A.P.P. for the State opposes the anticipatory bail application of the petitioner.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) 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 Tatarpur P.S. Case No. 26 of 2024 subject to the conditions as laid down under Section 482 (2) of BNSS.

7. One of the bailors of the petitioner shall be his brother namely Mithilesh Kumar @ Mithlesh Kumar.

8. However, it is made clear that in the event if the Investigating Officer of the case files an application before the



learned Trial Court bringing to its notice that petitioner despite giving assurance to this Court is not co-operating in the investigation, in that event the learned Trial Court shall be at liberty to cancel the bail bonds of the petitioner.

9. Let a copy of this order be sent to the concerned police station through the learned Trial Court.

10. Accordingly, the instant anticipatory bail application stands allowed.

(Satyavrat Verma, J)

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