

In the Court of Sessions Judge, East Champaran at Motihari.

Present:-

Abhishek K. Das,
Sessions Judge,
East Champaran at Motihari

Anticipatory Bail Petition No. 674 of 2026

1. **Ramesh Kumar Ram, aged about 30 years, S/o- Sukhal Ram.**
R/o village- Shampur, P.S. Shyampur Bathan, District- Sheohar.
----- **Petitioner.**
Versus
The State of Bihar ----- **Opposite party.**

Counsel for the Petitioner :- Sri Rishi Raj, Advocate
Counsel for the State :- Sri Khublal Prasad, Public Prosecutor.

19.03.2026

This anticipatory bail petition is filed on behalf of the petitioner, namely, Ramesh Kumar Ram, who is apprehending his arrest in connection with Rajepur P.S. Case No. 106 of 2022 u/ss 392 of Indian Penal Code.

In para-2 of this anticipatory bail petition, it is mentioned that no other anticipatory or regular bail petition has ever been filed on behalf of the petitioner either in this Court or before the Hon'ble High Court, Patna. In para-3 of this anticipatory bail petition, it is mentioned that petitioner has no criminal antecedent.

As per F.I.R., the informant, who is a manager of Baba Baidyanath Fuel Center, Machhuanha, received information that four miscreants riding on two motorcycles came at the fuel pump and looted cash Rs. 29587/- from the nozzle men, namely, Santosh Kumar and Vinod Kumar.

The learned counsel for the petitioner has submitted that the petitioner is innocent and he has committed no offence. Neither the petitioner is named in the F.I.R. nor he was arrested at the spot and nothing incriminating has been recovered from his possession. The name of the petitioner surfaced in this case on the basis of confessional statement of co-accused which has no evidentiary value in the eye of law. On these basis, it is prayed to allow this anticipatory bail petition.

The learned Public Prosecutor appearing on behalf of the State has opposed the prayer for anticipatory bail on the basis of materials available in the case diary.

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Heard both sides and perused the record alongwith case diary. From perusal of para-53 of the case diary, it appears that process u/s 82 of Cr.P.C. has already been executed against the petitioner.

Thus, in the facts of the case and in terms of order of Hon'ble High Court, Patna vide order dated 11.09.2024 passed in Cr. Misc. No. 59892 of 2024 (**Maya Sinha & Anr. vs. the State of Bihar & Anr.**) and a judgment passed by the Hon'ble Supreme Court of India in the case of **Prem Shankar Prasad vs. State of Bihar & Anr.** reported in **(2022) 14 SCC 516**, this anticipatory bail petition is not maintainable as the process u/s 82 of Cr.P.C. has been executed against the petitioner, and accordingly, it is **dismissed.**

(Dictated)

Sd/-

Sessions Judge
East Champaran at Motihari
19.03.2026