

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15190 of 2015

Arising Out of PS.Case No. -1 Year- 2015 Thana -GAYA GRP CASE District- GAYA

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Vikash Kumar @ Vickky S/o Late Bhuneshwar Prasad Resident of Mohalla
Duhinganj, P.S. Kotwali, District Gaya.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Arbind Kumar Singh

For the Opposite Party/s : Mr. Ajay Kumar No.1 (App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 14-05-2015

Heard both sides.

The petitioner apprehends his arrest in a case under
Section 3 of the R.P.(U.P.) Act.

Learned counsel for the petitioner submits that three
persons, namely, Sumit Kumar @ Vikash, Suraj Kumar and
Awadhesh Kumar were apprehended. It is submitted that the
petitioner is not named in the F.I.R. Name of the petitioner figured
in the case in the confessional statement of Birbal Kumar.
Admittedly, the petitioner was not indulged in committing theft of
copper wire connector from the battery fitted in railway coaches.
According to the disclosure made by Birbal Kumar, the petitioner
Vikash Kumar @ Vickky was carrying the theft copper wire for
selling in the market but Birbal Kumar was apprehended and the
petitioner managed to flee away. It is submitted that it is the

handy-work of the police. The petitioner has got no criminal antecedent.

Considering the facts that the copper wire was stolen by Sumit Kumar, Suraj Kumar and Awadhesh Kumar and Birbal Kumar confessed his guilt and disclosed the name of the petitioner and said that he and the petitioner were carrying away the theft copper wire when Birbal Kumar was apprehended and the petitioner managed to flee away, I am not inclined to enlarge the above named petitioner on anticipatory bail in Gaya R.P.F. Post Case No. 1/15. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

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