

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47882 of 2015

Arising Out of PS.Case No. -159 Year- 2015 Thana –UDWANTNAGAR (GAJRAJGANJ) District-
BHOJPUR

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Pintu Seth Son of Sri Kedar Nath resident of village - Chakiya, P.S.
Sikrahatta, District - Bhojpur

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s :

For the Opposite Party/s :

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL ORDER

2 10-11-2015 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends arrest in Udwant Nagar
(Gajrajganj) P.S. Case No. 159 of 2015 dated 08.06.2015
instituted under Section 392 of the Indian Penal Code.

The allegation against the petitioner, though not
named in the F.I.R., is that he in association with others had looted
Rs.6,41,800/- from the vehicle of the informant.

Learned counsel for the petitioner submits that he has

not been named in the F.I.R. and only on the confessional statement of his brother Raju Soni he has been falsely implicated. It is further submitted that the confessional statement before the police has got no evidentiary value under law. Learned counsel submits that the petitioner also has no criminal antecedent.

Learned A.P.P. opposes the prayer for anticipatory bail and submits that the full brother of the petitioner having taken the name of the petitioner and disclosing his active role in the entire incident cannot be overlooked.

Considering the facts and circumstances of the case and submissions of learned counsel for the parties, the Court is not inclined to enlarge the petitioner on anticipatory bail.

The application, accordingly, stands dismissed.

However, in the event the petitioner surrenders and prays for bail before the court below, the same shall be considered on its own merits, in accordance with law, without being prejudiced by the present order.

(Ahsanuddin Amanullah, J)

Anjani/-

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