

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53256 of 2016

Arising Out of PS.Case No. -309 Year- 2016 Thana -BODHGAYA District- GAYA

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Ritesh Kumar, son of Manoj Kumar, resident of village-Belhadiya, P.S.
Tekari, District-Gaya.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 08-12-2016 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner apprehends his arrest in connection with
Bodhgaya P.S. Case No.309 of 2016 registered under Section 392
of the Indian Penal Code, pending in the court of the Chief
Judicial Magistrate, Gaya.

The accusation is that on 18.08.2016 at about 09.00 P.M.,
the informant, who is the driver of the Bolero vehicle bearing
Registration No.B.R.028/5089, was going to Gaya with Chhotu
Kumar, the son of the owner of the aforesaid Bolero vehicle. In
the meantime, on the way, the Swift vehicle, which was going in
front of his Bolero vehicle, all of sudden, stopped and due to that
reason, the Bolero vehicle dashed in the back of the Swift vehicle



and the back portion of Bolero vehicle became damaged due to dashing of the Alto vehicle, which was coming behind of his Bolero vehicle, and the front portion of Alto vehicle also became damaged. Thereafter, four persons came out from the Alto vehicle and started to cause assault to him and snatched the key of the Bolero vehicle from him. At that time, one boy of Alto vehicle called his associates by detailing their name as Ravi, Vikram and Ritesh (petitioner) and they took away the Bolero vehicle of the informant followed by the Alto vehicle.

Learned counsel appearing on behalf of the petitioner submits that, in fact, the Driver of the Swift vehicle lodged Bodh Gaya P.S. Case No.310 of 2016 against the informant of the present case, who is the Driver of the Bolero vehicle, but with an ulterior motive, the informant has lodged this case with false allegation of robbery of his Bolero vehicle against the petitioner and others. Further submission is that the petitioner has no criminal antecedent and being the associate of the owner of the Alto vehicle, he has falsely been implicated in this case.

Having considered the facts and the circumstances of the case and the nature of allegation, I am not inclined to grant anticipatory bail to the petitioner. Accordingly, the prayer of the petitioner for grant of anticipatory bail stands rejected. However,



the petitioner is directed to surrender before the trial court within four weeks from today and pray for regular bail, which shall be considered by the trial court in accordance with law without being prejudiced by the order of this Court.

(Rajendra Kumar Mishra, J)

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