

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51622 of 2016

Arising Out of PS.Case No. -360 Year- 2015 Thana -SHEKHPURA District- SEKHPURA

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Ajit Kumar @ Ajit Kumar Rai, S/o Dhaneshwar Yadav, resident of Village-
Indai, P.S. Sheikhpura, District- Sheikhpura.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Syed. Rizwanul Haque, Advocate

For the Opposite Party/s : Dr. Indihar Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 05-12-2016 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in Sheikhpura
P.S. case No.360 of 2015 registered under Sections 457 and 380 of
the Indian Penal Code, pending before the court of Chief Judicial
Magistrate, Sheikhpura.

The prosecution case, in brief, is that on the alleged date
of occurrence the informant went away by closing his house.
When he came, he found the articles have been scattered and lock
of godrej has been broken and Rs.20,000/- cash and other articles
have been stolen. It is further stated that gold, cash and other
articles of Sanjeev Kumar, Gaurav Kumar, Ankur Kumar and
Deepak Kumar have also been taken away by breaking the main
gate.



It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. He is not named in the F.I.R. His name has come on the confessional statement of the co-accused. There is no recovery of any incriminating article from the possession of the petitioner.

On behalf of the State, it is submitted that the petitioner is not named in the F.I.R. His name has come in the confessional statement of the co-accused, where the co-accused has accepted his participation along with the petitioner in the alleged offence.

Considering the aforesaid facts and circumstances, I am not inclined to extend the privilege of anticipatory bail to the petitioner. Prayer for anticipatory bail is rejected.

Anyhow if the petitioner surrenders in the court below within a period of six weeks from today, the same shall be considered on its own merit without being prejudiced by this order.

(Sudhir Singh, J)

Narendra/-

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