

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16239 of 2017

Arising Out of PS.Case No. -309 Year- 2016 Thana -KANTI THARMAL POWER District-
MUZAFFARPUR

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Suman Kumar, son of Sri Sanjeev Singh @ Sanjeev Kumar @ Sanjeet Mandal, resident of Mohalla- Jagadamba Nagar, P.S.- Ahiyapur, District- Muzaffarpur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Ravi Ranjan, Advocate.

For the Opposite Party : Ms. Indu Bala Pandey, APP.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 28-04-2017 Heard Mr. Ajay Kumar Thakur, learned counsel for the petitioner and learned APP for the State.

The petitioner apprehends his arrest in Kanti P.S. Case No. 309 of 2016, registered for the offences punishable under Sections 392 and 411 of the Indian Penal Code.

The informant alleged that four persons on two motorcycles chased him and at the point of pistol snatched his Glamour motorcycle bearing Registration Number BR06AW-7166 but, after sometime the police came on the place of occurrence. The informant narrated the entire story, on such the police took the informant on the vehicle and chased the accused. On chase one accused namely Raja Kumar was apprehended, who disclosed the name of the petitioner Suman Kumar, Awadhesh Sahni @ Nanhki



and Devi @ Laden.

Learned counsel for the petitioner submits that the petitioner was not apprehended on the spot. Name of the petitioner figured in the case, in the confession of the co-accused. Save and except confession, there is no material against the petitioner but, from the FIR, itself, it appears that Raja Kumar was apprehended after chase and he disclosed before the police names of his accomplices. The informant claimed to identify the accused and the nature of allegation requires custodial interrogation as well as the test identification parade of the accused.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner above named on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J.)

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