

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48640 of 2017

Arising Out of PS.Case No. -332 Year- 2016 Thana -CHAPRA MUFFASIL District- SARAN

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Atul Kumar Singh @ Praveen Kumar Singh Son of Sri Manbodhan Singh
Resident of village- Sadha Ghosh Colony, Police Station- Chapra Mufassil,
District- Saran at Chapra Permanent Resident of village- Rampur, Police
Station- Madhourah, District- Saran at Chapra

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Krishna Kumar Yadav

For the Opposite Party/s : Mr. Sakir Ahmad

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

3 12-12-2017 Heard the learned counsel for the petitioner as well as

the learned A.P.P. for the state.

In this application for anticipatory bail the petitioner apprehends his arrest in connection with Chapra Muffasil P.S. Case No. 332 of 2016 for the offence punishable under section 395 of the I.P.C.

Allegedly, the petitioner in collusion and conspiracy with other accused persons took away the Scorpio bearing registration no. BR-01PF/7837 of which the informant is the driver.

Submission is of false implication and that the petitioner has got no criminal antecedent, the petitioner, to bring his grand mother, hired the vehicle and he with his grand mother



got down from the vehicle and thereafter the occurrence has taken place, after delay the FIR has been lodged and the petitioner has been implicated falsely, the Scorpio vehicle was recovered in an abandoned condition and that has been released in favour of owner of the vehicle and as such the petitioner deserves sympathetic consideration.

The learned A.P.P. opposes prayer for pre-arrest bail of the petitioner by submitting that the petitioner did not pay the rest amount of Rs. 1000/- and he got seated one unknown person and directed the driver-informant that the unknown person will pay the rest amount and further the petitioner talked with three motorcycle borne criminals and then those motorcycle borne criminals snatched the vehicle and mobile of the informant.

In the facts and circumstances stated above, considering the allegation attributed against the petitioner, I am not inclined to grant privilege of pre-arrest bail to the petitioner and accordingly his such prayer stands rejected in connection with the aforementioned case pending in the court of C.J.M. Saran at Chapra.

(Jitendra Mohan Sharma, J)

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