

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2816 of 2018

Arising Out of PS.Case No. -317 Year- 2011 Thana -SITAMARHI District- SITAMARHI

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Awnish Kumar, son of Kameshwar Singh, resident of Village - Sugiya
Katsari, P.S. & District - Sheohar.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Hans Lal Kumar

For the Opposite Party/s : Mr. Yogendra Kr. Singh (APP)

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN
PRASAD
ORAL ORDER

3 13-02-2018 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner apprehends his arrest in connection with
Sitamarhi P.S. Case No.317 of 2011 registered under Section 392 of
the Indian Penal Code.

Learned counsel for the petitioner submits that there is
no direct evidence to connect this petitioner with the alleged offence
under Section 392 of the Indian Penal Code. He further submits that
the petitioner has no criminal history and, therefore, he may be
granted the privilege of anticipatory bail.

On the other hand learned APP representing the State
submits that in fact this case was lodged in the year 2011. The
motorcycle and looted cash as well as two mobiles were taken away



by three miscreants who were boarding on a motorcycle. On hulla raised by the informant the miscreants were chased by the villagers, but the miscreants fled away opening firing leaving their motorcycle and motorcycle of the informant. On the said motorcycle which was being used by three miscreants sufficient materials have been found to connect this petitioner with the alleged offence.

Considering the facts and circumstances, particularly that the motorcycle of the miscreants had certain materials connecting this petitioner with the alleged offence and this case is of the year 2011, I am not inclined to grant anticipatory bail to the petitioner.

The application is dismissed.

If the petitioner surrenders in the court below and prays for regular bail, then the same shall be considered on its own merit without being prejudiced by the present order.

(Rajeev Ranjan Prasad, J)

Arvind/-

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