

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44095 of 2018

Arising out of P.S.Case No. -158 Year- 2017 Thana -GOVINDGANJ District- EASTCHAMPARAN
(MOTIHARI)

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1. Suresh Paswan S/o Ramashish Paswan, R/o Vill.- Majurahan, P.S.-
Turkauliya, District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh, Advocate

For the Opposite Party/s : Mr. Anil Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 26-07-2018 Heard learned counsel for the petitioner and learned
A.P.P.

The petitioner seeks anticipatory bail in connection
with Govindganj (Areraj) P.S. Case No. 158 of 2017, registered
for offences punishable under Sections 461 and 379 of the Indian
Penal Code.

Allegation as per FIR against the petitioner is of
committing the theft in the shop of the informant.

Submission of the learned counsel for the petitioner is
that he has falsely been implicated in this case and the name of the
petitioner surfaced in the present case only on the confessional
statement of the co-accused, Nipu Kumar and in that regard



panchayati was also held in presence of Panches and assured to return the said articles but the same has not been returned. It is also submitted that except disclosure of the co-accused, there is nothing against the petitioner and the present case has been false and concocted.

Learned A.P.P. opposes the prayer for bail.

Having regard of the facts and circumstances and the nature of allegation, I am not inclined to grant bail to the petitioner. Accordingly, prayer for anticipatory bail is rejected with a direction to the petitioner that if the petitioner surrenders before the Court below and makes prayer for regular bail, which will be considered by the learned court below on its own merit without being prejudiced by this order of this Court.

With the aforesaid observation, this application is dismissed.

(Vinod Kumar Sinha, J)

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