

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13244 of 2019

Arising Out of PS. Case No.-64 Year-2018 Thana- CHAKIA District- East Champaran

SHIVAM KUMAR aged about 25 years (M) Son of Vijay Prasad Resident of
Village - Raniganj Ward No. 4, P.S.- Chakiya, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 11-03-2019 This matter was passed over on 08.03.2019 also when

no one appeared on behalf of the petitioner. Today, once again

learned counsel for the petitioner is not present.

Non for the State is present.

In these circumstances, the application is being

disposed of on the basis of the materials available on the record.

Petitioner is seeking anticipatory bail in connection

with Chakia P.S. Case No. 64 of 2018, G.R. No.1880 of 2018

registered for the offences punishable under Sections 395 and

397 of the Indian Penal Code.

The stand of the petitioner is that he has been falsely

implicated in the present case by the police. The Investigating

Officer is not having independent witness to support the

allegations against the petitioner. It appears that the learned



Sessions Judge rejected the prayer for anticipatory bail after looking into the case-diary where the statement of some of the witnesses are there to have supported the prosecution case. The petitioner is said to be the person who had accompanied the co-accused in looting of the informant's motorcycle. In Paragraph 3 of the application it is stated that there is one case against the petitioner for offences punishable under Sections 399, 402 and 418 of the Indian Penal Code read with the provisions of the Arms Act.

In the given facts and circumstances, where the petitioner has got criminal antecedent of almost similar nature, this Court is not willing to extend the privilege of anticipatory bail to the petitioner.

The application is dismissed.

(Rajeev Ranjan Prasad, J)

R.R.Ojha/-

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