

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13264 of 2019

Arising Out of PS. Case No.-85 Year-2018 Thana- NAYAGAON District- Begusarai

Sunil Kumar @ Sunil Singh @ Sunil @ Puntan Singh @ Putan Singh, Male,
age 25 years, Son of Shyam sundar Singh Resident of Village - Mahendrapur,
P.S.- Nayagaon, Distt.- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sandip Kumar Gautam

For the Opposite Party/s : Mr.Md. Fahimuddin

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

3 28-03-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

In this case, the petitioner is apprehending his
arrest in connection with Nayagaon P.S. Case No. 85 of 2018
registered for offences under sections 414, 379, 34 of the Indian
Penal Code.

In the present case, an allegation has been made
that the police intercepted a pick-up van and recovered 1020
Kg. aluminum wire and the person who was arrested has
disclosed the name of four persons and one of them is the
present petitioner.

This Court had called for the case diary. In
paragraph nos. 8, 9 & 10 of the same, it has been stated that the



petitioner was mainly involved in the commission of theft of electric wire by the side of river Ganga in Mahendrapur Diara.

Learned counsel for the petitioner has produced an order dated 14.3.2019 passed in Cr. Misc. No. 16067 of 2019 granting anticipatory bail to the co-accused Sanjeet Kumar.

From perusal of the aforesaid order, it appears that Court had no occasion to examine the case diary relating to the present case but, this Court has examined the case diary and finds sufficient material to reject the prayer for anticipatory bail to the petitioners.

Learned counsel for the petitioner further submits that different places have been shown as place of occurrence and the place of seizure as the Informant has apprehended the pickup van loaded with electric wire and seized the same near Shrirampur Thakurwari Temple but, in course of investigation, the Informant has not mentioned the place of occurrence as near Shrirampur Thakur Temple which creates a doubt on the genuineness of the case.

The aforesaid fact has been well explained in the case diary itself.

This Court is not inclined to grant privilege of anticipatory bail to the petitioners, above named.



Accordingly, the prayer for anticipatory bail of the petitioner, above named, is rejected.

If the petitioner surrenders before the court below within a period of three weeks from today and prays for bail, the court below, without being prejudiced by this order, will take a decision in accordance with law.

(Shivaji Pandey, J)

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