

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17761 of 2019

Arising Out of PS. Case No.-162 Year-2018 Thana- PHULWARIA District- Begusarai

1. SOHIT KUMAR, Male, Aged about 19 years
2. Rohit Kumar, Male, Aged about 22 years
Both S/o Ram Binod Rai,
All R/O Village- Chand Chaur Kalyan Tola, Ward No.-11, P.S.- Ujiyarpur,
District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Yogesh Kumar
For the Opposite Party/s : Mr.Anita Kumari

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 27-03-2019 Heard both sides.

The petitioners apprehend their arrest in Fulwariya P.S. Case No.162 of 2018 registered under Section 392 of the Indian Penal Code.

The informant alleged that his driver, Rishikant Tiwari was going to Begusarai from Baitalpur, Devariya and when the vehicle reached within the jurisdiction of Fulwariya P.S., the miscreants looted the vehicle.

The learned counsel for the petitioners submits that petitioners are not named in the F.I.R. The names of the petitioners surfaced during the course of investigation on the basis of the confessional statement of one Guddu Kumar. The



petitioners are students and they have got no criminal antecedent but it appears from the records that police during the course of investigation on the basis of tower location of mobile of Guddu Kumar arrested Guddu Kumar and Guddu Kumar made his confessional statement and disclosed the names of the petitioners. On the basis of the disclosure made by Guddu Kumar, the looted car was recovered in front of the house of the petitioners.

Taking into consideration the facts that looted car was recovered in front of the house of both the petitioners, who happens to be own brothers, and during the course of investigation, T.I.P. is required to be held, I am not inclined to enlarge the petitioners on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

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