

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25035 of 2019

Arising Out of PS. Case No.-477 Year-2018 Thana- GHOSI District- Jehanabad

MANOJ PRASAD Son of Ambika Prasad Resident of Village- Pali Pokhar,
P.S.- Pali, District- Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nitya Nand Neeraj

For the Opposite Party/s : Mr.Anand Kishore Choudhary

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 25-07-2019 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner in the present case is seeking anticipatory
bail in connection with Ghoshi P.S. Case No.477 of 2018
registered for the offence punishable under Section 392 of the
Indian Penal Code.

Learned counsel for the petitioner submits that the
name of this petitioner has transpired in the confessional
statement of the co-accused Shambhu Kumar, however, there is
no recovery of any incriminating material from the possession
of the petitioner and further he has not been identified by the
informant.

On the other hand, learned APP for the State has
opposed the prayer for anticipatory bail. Referring to the



statements recorded in the case diary, learned APP submits that the co-accused Shambhu Kumar was identified by the informant and then he has disclosed the entire modus operandi including the name of this petitioner who had actively participated in robbing the informant and his motorcycle and other articles. The motorcycle has been recovered from the possession of said Shambhu Kumar.

In the given facts and circumstances of the case where the co-accused from whose possession motorcycle has been recovered has been identified and he has made confessional statement disclosing the modus operandi of the occurrence in which petitioner is said to have actively participated, this Court is not willing to extend the privilege of anticipatory bail to the petitioner.

The application is dismissed.

(Rajeev Ranjan Prasad, J)

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