

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30512 of 2019

Arising Out of PS. Case No.-33 Year-2019 Thana- HISUWA District- Nawada

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SANJEEVAN KUMAR @ SANJEEVAN CHAUHAN Son of Late Rajendra
Prasad Chauhan, Resident of Mahadeva, P.S.- Hisua, District- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pramod Kumar Verma

For the Opposite Party/s : Mr.Kanhaiya Kishore (App 100)

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 16-08-2019 The petitioner apprehends his arrest in connection with

Hisua P. S. Case No. 33 of 2019 registered under Sections 380
and 457 of the Indian Penal Code.

Allegation against the petitioner, as per FIR, is that on
29.01.2019, when informant saw that shutter of his mobile shop
was broken and upon enquiry, it was found that a theft has been
committed in his mobile shop from where several mobile
phones, memory cards, pen drives, power banks etc. and cash of
Rs. 35,000/- were found stolen from his shop. It has further been
alleged that from CCTV camera, he saw two boys, aged about
18 years, having *Khanti* in their hands, were standing outside of
the shop.

Learned counsel appearing on behalf of the petitioner
submits that petitioner is innocent having no criminal



antecedent. He further submits that one co-accused was arrested who disclosed the name of the petitioner and except that, there is no material against the petitioner. Learned counsel submits that, however, the police searched the house of the petitioner from where *Khanti* and four stolen mobiles were recovered and seizure list was accordingly prepared, but no test identification parade of stolen articles was conducted by the police.

After having heard learned counsel for the parties and taking into consideration the fact that in CCTV camera, two persons were found standing, holding *Khanti*, near the shop of the informant and from the house of the petitioner, *Khanti* and four mobiles, allegedly stolen away from the shop of the informant, were recovered and in that view of the matter, custodial interrogation of the petitioner is necessary, as such I am not inclined to grant anticipatory bail to the petitioner.

Accordingly, the prayer for anticipatory bail to the petitioner is rejected.

(Anil Kumar Sinha, J)

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