

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40122 of 2019**

Arising Out of PS. Case No.-12 Year-2012 Thana- TARAPUR District- Munger

SANTOSH SAH @ SANTOSH KUMAR Son of Sharwan Sah Resident of
Village - Three (3) number bus stand, Line Part, P.S.- Nagar, District -
Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rudal Singh

For the Opposite Party/s : Mr. Rina Sinha

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER**

6 20-11-2019 The petitioner apprehends his arrest in connection
with Tarapur P.S. Case No. 12/2012 registered under Sections
395 and 364 of the Indian Penal Code.

The prosecution story as per the First Information
Report that the driver of truck bearing no. BR01GB6565 was
going towards Saharsa after loading the sand upon the truck
along with his son Sanjeev Kumar. The truck of the informant
was intercepted by accused persons sitting on the white bolero
car and snatched a box kept inside and took away Rs. 11,000/-
and also fled with the truck after administering drug to the
informant and his son.

Learned counsel appearing for the petitioner submits
that petitioner has been falsely implicated in this case merely on



the basis of confessional statement of the co-accused. Learned counsel further submits that except the confessional statement no material has come against the petitioner. Learned counsel further submits that warrant against the petitioner was obtained on 23.08.2018 and as such the petitioner took step for anticipatory bail before learned Court below and before this Court.

On the other hand, learned counsel appearing for the State vehemently opposed the prayer of anticipatory bail and submits that in the confessional statement the co-accused has given description of the commission of crime and the petitioner has got criminal antecedent of similar nature and as such does not deserve the privilege of anticipatory bail.

Having regard to the submissions made by the parties and taking into the consideration the fact the petitioner has got criminal antecedent of the similar nature and the investigation of the case is still going on, I am not inclined to grant anticipatory bail to the petitioner and the same is rejected.

(Anil Kumar Sinha, J)

Ranjeet/-

U		T	
---	--	---	--

