

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39500 of 2019

Arising Out of PS. Case No.-18 Year-2019 Thana- KATIHAR MUFFASIL District- Katihar

VIKASH KUMAR @ GHANTI Son of Rakesh Bansphor @ Rakesh Bansfod
Resident of Mohallah- Driver Tola, P.S.- Katihar (N), District- Katihar.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimal Kumar

For the Opposite Party/s : Mr.Vinod Shanker Modi

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 01-07-2019 This application, for grant of anticipatory bail,

arises out of Muffasil P.S. Case No. 18 of 2019, disclosing

offences under Section 392 of the Indian Penal Code.

Allegation as per F.I.R. is that while the informant was going to deposit the cash of Rs. 4,30,480/- three unidentified miscreants came and dashed him by their motorcyle, as a result of which, he fell down and the miscreants assaulted him and on the point of pistol, the snatched away the bag containing cash of Rs. 4,30,480/-. Later on name of the petitioner transpired on confession of co-accused and one Apache motorcycle was also recovered.

Submission of learned counsel for the petitioner is that he has falsely been made accused in this case only on the basis of confession of co-accused and except that there is



nothing against the petitioner and the motorcycle, which was recovered, belonged to the petitioner.

Learned counsel for the State opposed the prayer for bail.

Having heard both sides, considering the facts and circumstances as above and also the fact that investigation is still going on, I am not inclined to grant the privilege of anticipatory bail to the petitioner rather petitioner may surrender before the court below and make prayer for regular bail and if any such application is filed, the court below will dispose of the same on the merit of the case, without being prejudiced by this order.

This application is, accordingly, dismissed.

(Vinod Kumar Sinha, J)

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