

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40569 of 2019

Arising Out of PS. Case No.-169 Year-2019 Thana- MOHANIYA District- Kaimur (Bhabua)

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SUJEET KUMAR @ BANTI @ SUJEET KUMAR SINGH @ SUJEET
SINGH @ BANTI SINGH Son of Bijendra Singh Resident of Village-
Siwarua, P.S.- Jagdishpur, District- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Satyapal Singh

For the Opposite Party/s : Mr.Shailendra Kumar

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

4 02-09-2019 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest for the offencesalleged under Sections 420, 467, 468, 409, 413, 411, 120(b) of the Indian Penal Code registered in connection with Mohania P.S. Case No. 169 of 2019.

3. It is submitted that the petitioner has been falsely implicated in connection with recovery of two trucks loaded with rice of PACS and the trucks were stolen by unknown thieves. It is submitted that the petitioner has been implicated on the basis of confessional statement of co-accused persons, except which there is no objective material to connect the petitioner with the alleged occurrence. It is submitted that the two trucks with loaded rice have admittedly been recovered and



in respect of which the driver Rakesh Pal discloses that he along with Vindhyacal Paswan brought the two loaded trucks from Mohania Bazar Samiti and further enquiry from co-accused Pradeep Kumar discloses that the rice was brought by the petitioner in his rice mill through broker Sujit Kumar. It is submitted that the rice in question has not been recovered from the petitioner's conscious possession and he has been implicated merely on the basis of confessional statement of co-accused persons.

4. Learned APP on the other hand invites reference to paras 14 and 15 of the case diary wherein it has been noted that the petitioner was the broker who had received payment from the owner of the rice mill for payment to other co-accused persons. It is therefore submitted that the petitioner had played an active role in commission of the offence.

5. Having regard to the nature of accusations and gravity of offence alleged, this Court is not inclined to grant the privilege of anticipatory bail to the petitioner. The anticipatory bail petition stands dismissed.

(Vikash Jain, J)

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