

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45113 of 2019

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

DILIP KUMAR SAH @ DILIP SHAH Son of Badri Prasad Resident of
Village- Jaso Road, Buxar, P.S.- Muffasil Buxar, District- Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajani Kant Pandey
For the Opposite Party/s : Mr.Surendra Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 24-07-2019 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Mohania Police Station Case No. 169 of 2019, disclosing offences under Sections 420/467/468/401/413/411/120B of the Indian Penal Code.

The allegation against the petitioner, as per the First Information Report, is that two trucks, bearing registration nos. BR01GA-3575 and UP65AR-3981, were stolen by co-accused from the Bazar Samiti, loaded with rice and the trucks were brought near the rice mill of the petitioner and his brother and the bags, in which rice was kept in the said trucks, were converted into fresh bags and after preparing forged challan, the same was sold in favour of a trader of Sasaram through an



agent. The Police, in the First Information Report, has categorically narrated the entire chain of events and alleged that the petitioner is a part of an organized gang.

Learned Counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case based upon the statement of the co-accused. He further submits that no recovery of rice or trucks was made from the rice mill of the petitioner.

After having heard learned Counsel for the parties and taking into consideration the fact that the name of the petitioner has come on the basis of the statement of the co-accused, who is own brother of the petitioner and running the rice mill along with the petitioner and the allegation against the petitioner corroborates the chain of events, I am not inclined to grant the petitioner privilege of anticipatory bail.

This application is, accordingly, dismissed.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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