

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50068 of 2019

Arising Out of PS. Case No.-199 Year-2018 Thana- MOHIUDDIN NAGAR District-
Samastipur

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RAUSHAN KUMAR @ RAUSHAN YADAV Son of Vindeshwar Kumar
Chaudhary Permanent Add.- Resident of e/4b Railway Colony, Bhagwatiganj,
P.S.- Balrampur, District - Balrampur , State - Uttar Pradesh Presently
residing at Vill.- Paharpur Purvi, P.S.- Jurawanpur, District - Vaishali.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Surendra Kishore Thakur

For the Opposite Party/s : Mr.Surendra Kumar

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 16-11-2019 Heard learned Counsel for the petitioner and

learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail,
arises out of Mohiuddinnagar Police Station Case No. 199 of
2018, disclosing offence under Section 392 of the Indian Penal
Code.

The petitioner is not named in the First Information
Report.

The prosecution story, as per the First Information
Report, is that the informant, while going to his house after
closing the shop of his father, was surrounded by four persons
and robbed of a sum of Rs. 15,000/- as well as a samsung



mobile set on the point of pistol.

Learned Counsel for the petitioner submits that the petitioner is not named in the First Information Report and he has falsely been implicated in the present case merely on the basis of statement made by co-accused Pankaj Kumar.

Learned Additional Public Prosecutor opposed the prayer for bail and submits, referring to paragraph 34 of the case diary, that co-accused Pankaj Kumar has vividly narrated the entire description of the occurrence and involvement of the petitioner in the same. He, referring to paragraph 94 of the case diary, further submits that the petitioner was in regular touch with co-accused Pankaj Kumar through the seized mobile phone from 26.12.2018 to 30.12.2018.

Having regard to the submissions made on behalf of the parties and taking into consideration the fact that the case is at initial stage of investigation and the custodial interrogation may be required, 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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