

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55190 of 2019

Arising Out of PS. Case No.-238 Year-2019 Thana- KORHA District- Katihar

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SANOJ PASWAN Son of Dharamchandra Paswan, Resident of Village -
Fasiya, P.S.- Katihar Nagar, Distt - Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar Singh

For the Opposite Party/s : Mr.Shyam Bihari Singh

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 03-09-2019 Heard both sides.

The petitioner apprehends his arrest in Korha P.S.
Case No.238 of 2019 registered under Sections 394, 411, 307 of
the Indian Penal Code and under section 27 of the Arms Act.

The informant alleged that while he was returning
after withdrawal of Rs.77,000/-, kept in a bag, from S.B.I. and
reached at Semapur Corner, four persons on two motorcycles
came and snatched the bag and money from possession of the
informant at the point of pistol. On chase made by the police
and the villagers, two accused persons were apprehended and
from their possession, Rs.77,000/- and cheque book were
recovered. The apprehended accused also opened fire in which
the *bhanja* of the informant got firearm injury. The apprehended
accused disclosed the names of two accused, namely, Suraj Sah



and Sanoj Paswan, who managed to flee away towards Katihar.

Learned counsel for the petitioner submits that the name of petitioner figured in the case only on the basis of confessional statement or so-called disclosure made by co-accused, who are alleged to have been apprehended on the spot and save and except the statement of the co-accused, there is no material against the petition, but it appears that it is a case of road robbery in which four persons on two motorcycles came and robbed the informant. On chase, two persons were apprehended and the apprehended accused disclosed the names of the petitioner. The informant also claimed to identify the accused persons. From the apprehended accused, Rs.77,000/- and cheque book were recovered. The apprehended accused also disclosed that the accused persons, who managed to flee away, took Rs.20,000/- from the pocket of the informant.

Having considered the facts aforesaid, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

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