

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59517 of 2019

Arising Out of PS. Case No.-201 Year-2019 Thana- BUXAR (T) District- Buxar

Bitu Kumar @ Subham Raj Son of Sunil Kumar Gupta Resident of Village -
Koirpurwa, P.S.- Buxar (Town), District- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Digvijay Kumar Ojha, Advocate
For the Opposite Party/s : Mr. Harendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date : 27-11-2019

Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends arrest in connection with
Buxar(T) PS Case No. 201 of 2019 dated 11.03.2019 instituted
under Sections 341/323/504/356/379/34 of the Indian Penal Code.

3. The petitioner is accused of snatching away of mobile
of the informant and Rs. 3,000/- cash from his purse.

4. Learned counsel for the petitioner submitted that he is
not named in the FIR and has been made accused only on the basis
of co-accused Nilesh Kumar whose mobile was recovered by the
informant from the place of occurrence. It was submitted that
Nilesh Kumar has taken the name of the petitioner because they



live in the same area and due to local politics he wants to ruin the career of the petitioner, who is a student.

5. Learned APP submitted that the sequence of events, both in the FIR and the confessional statement of Nilesh Kumar, corroborate each other and further that there is absolutely no cogent ground for the petitioner to have been falsely implicated by Nilesh Kumar who, as per the stand of the petitioner himself, lives in the same area.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, the Court does not find it a fit case for grant of pre-arrest bail to the petitioner.

7. Accordingly, the application stands dismissed.

(Ahsanuddin Amanullah, J)

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