

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1500 of 2019

Arising Out of PS. Case No.-202 Year-2013 Thana- PHULWARIA District- Begusarai

Lalit Kumar Ray @ Lalit Ray son of Ganesi Ray, Resident of Village – Kerai,
P.S. Bibhutipur, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar
For the Opposite Party/s : Mr. Upendra Kumar

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 21-02-2019 This is an application for grant of anticipatory bail in connection with Phulwaria P.S. Case No. 202 of 2013, disclosing offences under Section 379 of the Indian Penal Code.

Allegation of theft of vehicle of the informant and the petitioner is not named in the F.I.R., but later on, his name transpired on the confessional statement of co-accused person, who was arrested in connection with Pusha P.S. Case No.105 of 2013 and confessed that he along with the petitioner and others have committed theft of vehicle and sold it to one other person. It further appears that the case is of the year 2013.

Submission of learned counsel for the petitioner is that the petitioner has falsely been implicated in this case and except confessional statement there is absolutely nothing against him and further nothing has been recovered from his possession.



Heard learned A.P.P. also, who has opposed the prayer for anticipatory bail of the petitioner stating that the name of the petitioner transpired on the confessional statement of co-accused person, who has stolen the vehicle along with other co-accused persons.

Having heard both sides, in view of the facts and circumstances of the case, I am not inclined to grant anticipatory bail to the petitioner, rather he should surrender and make prayer for regular bail, which will be considered on its own merit, without being prejudice by order of this Court, if possible, to be disposed of on the same day.

Accordingly, this application is dismissed.

(Vinod Kumar Sinha, J)

Amjad/-

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