

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66640 of 2019

Arising Out of PS. Case No.-40 Year-2019 Thana- SURYAPUR District- Rohtas

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MOHAN CHAUHAN, Male, Aged about 24 years, Son of Shri Chauhan,
Resident of Village Mahdah, P.S. Mufassil Buxar, District Buxar.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Arti Kumari

For the Opposite Party/s : Mr.Jitendra Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 23-10-2019 Heard both sides.

The petitioner apprehends his arrest in Suryapura P.S.
Case No.40 of 2019, registered under Section 392 of the Indian Penal
Code.

The informant alleged that on 17.03.2019 he was coming
on his Bajaj Tempo vehicle after purchasing 16 bags of potato along
with his co-villager, Rakesh Kumar Anal and at about 7.15 when they
reached near the canal road, four persons surrounded the informant
and his friend Rakesh Kumar Anal and robbed their mobile, cash and
other belongings. Three of the accused persons fled away on
motorcycle and one of the accused fled away on foot. In the
meantime, one motorcyclist came and the informant sat on the
motorcycle and started raising alarm. On alarm many villagers came
and apprehended one of the robbers who disclosed his name as Ravi
Shankar Rajbhar. The apprehended accused on the spot disclosed the



names of Mohan Chauhan, the petitioner, Chhotu Kumar and Sanjay Tiwary.

Learned counsel for the petitioner submits that the petitioner was not apprehended or identified by any person rather the name of the petitioner was disclosed in the so called confession made by Ravi Shankar Rajbhar. The petitioner is innocent and he never participated in the occurrence. The petitioner is accused in only one criminal case being Buxar Muffasil P.S. Case No.299 of 2018 but it appears that the name of the petitioner surfaced in the case when the accused persons were fleeing away and they were chased and one of them was apprehended. The apprehended accused, namely, Ravi Shankar Rajbhar disclosed the name of his accomplices including the name of the petitioner. The petitioner is also an accused in a case registered under Sections 399, 402 and 414 of the Indian Penal Code and 25(1-b)a/35 of the Arms Act.

Taking into consideration the facts aforesaid, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the prayer for anticipatory bail of the petitioner is rejected.

(Prabhat Kumar Jha, J)

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