

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69247 of 2019

Arising Out of PS. Case No.-166 Year-2019 Thana- BIRPUR District- Supaul

SANTOSH KUMAR SAH @ PAPPU KUMAR @ PAPPU SAH Son of Jay
Kumar Sah Resident of Bhim Nagar P.S-Birpur, District-Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shailendra Kumar Singh
For the Opposite Party/s : Mr.Ram Naresh Ray

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 18-12-2019 Heard learned counsel for the parties.

Petitioner apprehends his arrest in **Birpur (Bhim Nagar O.P.) P.S. Case No. 166 of 2019** registered for the offence punishable under Section 379 of the Indian Penal Code.

Informant in his written complaint has alleged that on 17.07.2019 he parked his motorcycle in front of his house and went to market and when he returned back then he found his motorcycle missing. He has further alleged that his two mobile phones were also stolen. FIR is against unknown.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case on suspicion. Petitioner is not named in the FIR. It has been submitted on behalf of the petitioner that the name of the petitioner has surfaced in this case on the basis of confessional



statement of co-accused Chandan Kamat @ Chandu on whose confession the stolen motorcycle was recovered from the possession of co-accused Irshad Safi and petitioner has criminal antecedent also, as such I am not inclined to grant anticipatory bail to the petitioner. Hence, the prayer for anticipatory bail of the petitioner is hereby rejected.

However, it is observed that if the petitioner surrenders before the court below and prays for regular bail, then the court below shall dispose of the bail application of the petitioner on the same day without being prejudiced by this order.

(S. Kumar, J)

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