

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 9669 of 2020

Arising Out of PS. Case No.-820 Year-2019 Thana- JAHANABAD District- Jehanabad

ANANT KUMAR Son of Laxmi Narayan @ Laxmi Narayan Prasad Singh
Resident of Village-Arari, P.S.-Daudnagar, District-Aurangabad (wrong
address) as stated in the F.I.R. Actual address resident of village-Rampur
Charui, At/P.O. Jehanabad, District-Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Fakhruddin Ali Ahmad

For the Opposite Party/s : Mr.Prem Kumar Jha

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 04-09-2020 This case has been heard through video-conferencing.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in Jehanabad
P.S. Case No. 820 of 2019 registered for the offences
punishable under Section 414 of the Indian Penal Code pending
in the Court of learned C.J.M., Jehanabad.

While the informant was on patrolling duty, he got
information that at Arwal More, some miscreants by breaking
lock of one M.H. Traders committed theft and the stolen
properties was kept in Khatal of Sant Raj Kumar. When they
reached near the khatal one person started fleeing seeing the
police party but he fell down and was caught hold by him, who



disclosed his name as Sant Raj Kumar. Stolen materials were recovered by the police from the khatal. Later on, he disclosed that he along with the petitioner had broken the lock of that shop. He also disclosed that the petitioner had taken away some pouch of fortune oil and mustard oil.

It is submitted by learned counsel for the petitioner that no such occurrence as alleged ever took place. He has been falsely implicated in this case due to previous enmity by the co-accused Sant Raj Kumar. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. No incriminating article has been recovered from his conscious physical possession. It is further submitted that no independent witness has named the petitioner as a person involved in the occurrence. Petitioner has no criminal antecedent.

Learned APP for the State vehemently opposing the bail petition submitted that from perusal of the case diary, it appears that the petitioner has committed the offence, which is serious in nature and police has recovered the stolen articles from his house. Witnesses to the case diary has also supported the prosecution case. Hence, the petitioner does not deserve anticipatory bail.

Considering the facts and circumstances of case, I am



not inclined to enlarge the petitioner on anticipatory bail. The prayer for anticipatory bail of the petitioner is hereby rejected. However, the petitioner is directed to surrender before the learned Court below within six weeks from today and seek regular bail and the learned Court below would pass order in accordance with law without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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