

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8892 of 2020

Arising Out of PS. Case No.-17 Year-2014 Thana- BHANGWANPUR HAT District- Siwan

VISHAL KUMAR Son of Manejar Singh Resident of Village - Mahamadpur,
P.S.- Bhagwanpur Hat, Dist.- Siwan.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pranav Kumar

For the Opposite Party/s : Mrs.Pushpa Sinha

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 26-06-2020 The present petition has been taken up for consideration through the mode of Video conferencing in view of the prevailing situation on account of COVID 19 Pandemic, requiring social distancing.

Heard the learned counsel for the petitioner and Mrs. Pushpa Sinha, learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Bhagwanpur P.S. Case No. 17 of 2014 for the offence registered under Sections 461 and 379 of the Indian Penal Code.

The case of the prosecution in brief is that the co-accused namely Mohit was working in the mobile shop of the informant and in his absence, the said accused person had decamped with 28 pieces of mobiles, vouchers, cash amounting to Rs. 2,000/-, lap top and printer etc. It is alleged that upon raid being conducted in the house of the petitioner herein, the articles stolen from the shop of the informant was recovered from his house.



The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case and as far as his criminal antecedent is concerned, he is accused in one other case. It is further submitted that the co-accused person namely Upendra Kumar Sah has already been granted the privilege of anticipatory bail by the learned court below, hence the petitioner should also be enlarged on anticipatory bail.

Per contra, the learned A.P.P. for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the fact that the stolen property has been recovered from the house of the petitioner, upon a raid having been conducted by the Police and moreover the petitioner is an accused in one other case of similar nature, I do not find the present case to be a fit case to extend the privilege of anticipatory bail to the petitioner herein, hence the present petition stands dismissed.

(Mohit Kumar Shah, J)

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