

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8654 of 2020

Arising Out of PS. Case No.-166 Year-2019 Thana- BHARGAMA District- Araria

DILKHUS KUMAR Son of Sanjay Paswan Resident of Village - Bharna
Ward No. 02 Maahpatti, P.S.- Bhargama, District- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Rana
For the Opposite Party/s : Mr.Pancha Nand Pandit

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 25-06-2020 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.

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

This is an application for grant of anticipatory bail in connection with Bhargama PS case no. 166 of 2019 registered for the offences punishable under Section 394 of Indian Penal Code.

The allegation is regarding four miscreants having arrived near the truck in question on the alleged date and time of occurrence, whereafter three of the miscreants had climbed on the upper part of the truck and badly assaulted the informant with pistol and had then fled away after snatching a sum of Rs. 9,000/- from the informant, his mobile phone, tape recorder of the vehicle etc.

The learned counsel for the petitioner has submitted



that the petitioner is innocent, has been falsely implicated in the present case and has got no complicity in the matter.

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

I have heard the learned counsel for the parties and gone through the materials on record and it is apparent from the impugned order dated 20.01.2020 that during the course of investigation, the Investigating Officer has found the petitioner herein to be involved in commission of the offence alleged and the witnesses have identified the petitioner and one of his associate while they were fleeing away on their motorcycle, after commission of the offence in question. This Court further finds that the petitioner is an accused in one more case, lodged under Section 394 I.P.C. and Sections 25(1-b)a and 26 of the Arms Act.

Considering the materials on record and the antecedent of the petitioner herein, I do not find the present case to be a fit case, atleast for grant of anticipatory bail, hence the present petition stands dismissed.

(Mohit Kumar Shah, J)

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