

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13034 of 2020

Arising Out of PS. Case No.-120 Year-2017 Thana- PIRPAINTI District- Bhagalpur

BARUN MANDAL Son of Ambika Mandal Resident of Village- Ghogha
Shankarpur Khabas, Post- Ghogha and P.S.- Ghogha within the town and
District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anupa Nand Jha

For the Opposite Party/s : Mr.Veena Rani Prasad

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

3 23-07-2020 Heard leaned counsel for the petitioner and

the leaned A.P.P. for the State through video
conferencing.

The petitioner apprehends his arrest in connection
with Pirpainti P.S. Case No. 120 of 2017, registered under
Section 392 of the Indian Penal Code, pending in the court of
the learned A.C.J.M-XI, Bhagalpur.

The accusation is that informant Md. Izmamul
along with his cousin brother Md. Sazid proceeded from
Pirpainti railway station boarding on motorcycle bearing
registration BR-10D-7660, in the way, three persons on the
point of pistol snatched his Aadhar card, Pan Card, cash of Rs.
300/-, mobile and motorcycle, all miscreants were in aged 20 to
25 years.



Learned counsel appearing on behalf of petitioner submits that petitioner is not named in the F.I.R. as on the basis of written report of informant Md. Izmamul Pirpanti P.S. Case No. 120 of 2017 was instituted on 06.06.2017 under Section 392 of the Indian Penal Code against three unknown. Further submission is that on the date of occurrence, the petitioner was outside the State and when he returned, he has been made accused in this case.

On the other hand, Smt. Veena Rani Prasad, learned A.P.P. appearing for State opposed the prayer for pre-arrest bail of the petitioner with submission that the name of the petitioner surfaced in the confessional statement of co-accused upon which stolen mobile and motorcycle have been recovered as it appears from the order dated 01.09.2017 passed in A.B.P No. 1452 of 2017 by the learned 1st Addl. Sessions Judge, Bhagalpur rejecting the prayer of pre-arrest bail of petitioner.

Having considered the facts and circumstances of the case and also the fact that the informant has detailed the physique of the culprits, I am not inclined to grant pre-arrest bail to the petitioner. Accordingly, his prayer for grant of pre-



arrest bail stands rejected. The petitioner is directed to
surrender before the trial Court within four weeks and
pray for regular bail, which would be considered by
the trial Court in accordance with law without being
prejudiced by the order of this Court.

(Rajendra Kumar Mishra, J)

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