

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10175 of 2020

Arising Out of PS. Case No.-561 Year-2019 Thana- PURNEA SADAR District- Purnia

SHAMBHU RAM Son of Vindeshwari Ram Resident of Village - Mirjapur,
Moti Jheel, Ward No. 33, P.S. - K. Nagar, District - Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajit Kumar Singh

For the Opposite Party/s : Mr.Satyadeo Singh Yadav

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

- 2 26-06-2020 This case has been heard through video conferencing.
- Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.
- The petitioner is apprehending his arrest in a case
registered for the offence punishable under Sections 379 of the
Indian Penal Code.
- The prosecution case as lodged by the informant is
that on 2.11.2019 he had gone to his native village to attend
Chhath Puja and he came back at Purnea on 04.11.2019 and
opened his shop then found that grill was broken. He went
inside the shop and found that 100 bags of maize seeds and cash
of Rs. 30,000/- was stolen away by unknown thieves. The value
of maize seeds is about 13 to 15 lacs.
- Learned counsel for the petitioner submits that he is



innocent and has been falsely implicated in this case. He submits that nothing has been recovered from the possession of the petitioner and name of the petitioner surfaced in the present case on the basis of confessional statement of Md. Saddam Ansari. He submits that in the confessional statement, Md. Saddam Ansari has alleged that Sunil Ram who also a tempo driver and it is who has transported the maize seeds by his tempo and kept in the joint house of the petitioner. He further submits that petitioner bears no criminal antecedent.

Considering the facts and circumstances of the case, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, his payer for anticipatory bail is rejected in connection with Sadar P.S. Case No. 561 of 2019 pending before the court of the learned C.J.M., Purnea.

Accordingly, the application is dismissed. However, petitioner is at liberty to surrender before the court below and court below would consider the bail application of the petitioner on the same day without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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