

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14477 of 2020

Arising Out of PS. Case No.-428 Year-2019 Thana- HILSA District- Nalanda

RAM VIJAY KUMAR Son of Sudheer Prasad Resident of Village -
Dharmpur, Police Station - Chandi, District - Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar, Adv.

For the Opposite Party/s : Mr.Mithlesh Kumar Khare, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 09-09-2020 Heard the learned counsel for the petitioner
and Sri Mithilesh Kumar Khare, the learned APP for
the State.

This is an application for grant of anticipatory
bail in connection with Hilsa P.S. Case No. 428 of
2019 registered for the offence punishable under
Section 394 of the Indian Penal Code and Sections
25(1-b)a, 26 of the Arms Act.

The case of the prosecution in brief is that on
23.08.2019 at about 3:00 PM. in the afternoon, the
informant had gone out to bring some articles for
his shop and when he was returning at about 7:00
in the evening along with his staff on a motorcycle



and had gone ahead of Lohanda, one Bolero car had arrived there and dashed the motorcycle resulting in the informant and his staff falling down and having become injured, whereafter some people had alighted from the bolero vehicle and had snatched a bag from the informant in which a sum of Rs. 3,00,000/- was kept and then, they had fled away, however, the said vehicle was found to have fallen in a ditch at some distance and its glass was broken, whereupon search was made and one mobile, one loaded country made pistol and some documents were found. It is alleged that the owner of the said vehicle is the petitioner herein and is having the complicity in the matter.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case and he is having a clean antecedent. It is further submitted that the driver of the petitioner was in fact driving the said vehicle in question and he might be responsible for the alleged incident, however, the petitioner has got no complicity in



the matter.

Per contra, the learned APP 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 materials available in the case diary, this Court finds that a prima facie case is definitely made out as against the petitioner herein, for the offences alleged and he is the owner of the vehicle used in the crime, hence, I do not find any reason to grant anticipatory bail to the petitioner herein, thus, the present petition stands dismissed.

(Mohit Kumar Shah, J)

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