

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26263 of 2020

Arising Out of PS. Case No.-449 Year-2019 Thana- SIKARPUR District- West Champaran

PREM BHAGAT S/o Yogendra Bhagat Resident of Village-Gurwaliya, Police
Station-Manuapul O.P., District-West Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sachida Nand Rai

For the Opposite Party/s : Mrs. Sangeeta Sharma

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 16-10-2020 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 Smt. Sangeeta Sharma, learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Shikarpur P.S. Case No. 449 of 2019 for the offence registered under Sections 461 and 379 of the Indian Penal Code.

The allegation is regarding some unknown miscreants having stolen three batteries from the tractors kept at the tractor agency of the informant, in the night of 24.10.2019, after breaking the lock of the agency in question. The miscreants are alleged to have been identified in CCTV footage.



The learned counsel for the petitioner has submitted that the petitioner is innocent and he has been falsely implicated in the present case. It is further submitted that there is neither any evidence to connect the petitioner with the alleged crime nor the alleged stolen battery has been recovered from the possession of the petitioner.

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 petitioner is an accused in one other case of theft and moreover the miscreants are stated to have been indentified in the CCTV footage as also the learned court below has observed in the impugned order dated 24.02.2020 that the allegations have stood corroborated from the materials available in the case dairy, I do not find the present case to be a fit case for grant of anticipatory bail, hence the present petition stands dismissed.

(Mohit Kumar Shah, J)

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