

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26471 of 2020

Arising Out of PS. Case No.-46 Year-2020 Thana- HAJIPUR District- Vaishali

Vijay Kumar Thakur S/o Ramnandan Thakur R/o Village and P.O.-
Ghosrama, P.S.- Piya, District- Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Satyki Kumar S/o- Late Ram Nandan Singh R/o Village and P.O.- Ayodhya,
P.S.- Teghra, District- Begusarai

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Dharmendra Kumar Paswan, Advocate
For the Opposite Party/s	:	Mr. Bisheshwar Ram, APP
For the Informant	:	Mr. Nachiketa Jha, Advocate

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 03-12-2020 Heard Mr. Dharmendra Kumar Paswan, for
the petitioner, Mr. Nachiketa Jha for the informant and
Mr. Bisheshwar Ram for the State.

The petitioner seeks bail in anticipation of his
arrest in connection with Hajipur Town P.S. Case No. 46
of 2020 dated 17.01.2020 instituted for the offences
under Sections 406, 420, 409, 407, 468 and 471/34 of
the Indian Penal Code.

It has been urged on behalf of the petitioner
that the entire accusation of misappropriating Khadi
clothes and of locking the godown is attributed to
Rangam Kumar and the petitioner and another are only
said to have conspired with aforesaid Rangam Kumar to



commit this crime. It has further been submitted that the complaint was lodged a long time ago but the FIR was registered after much delay.

Learned counsel for the informant, however, has pointed out that one of the accused persons of this case is in jail and, therefore, the petitioner ought not to be granted anticipatory bail as it would reflect that two persons with similar allegation have been treated differently.

Regard being had to the nature of accusation against the petitioner, I am not inclined to grant anticipatory bail to him.

Accordingly, the prayer for anticipatory bail is rejected.

The interim order dated 21.10.2020 is hereby withdrawn/vacated.

However, if the petitioner surrenders before the court below and seeks bail, the court below shall take into account all the necessary facts and shall pass orders in accordance with law without being prejudiced by the fact that the present petition has not been entertained.

(Ashutosh Kumar, J)

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