

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22975 of 2020

Arising Out of PS. Case No.-151 Year-2018 Thana- MORKAHI District- Khagaria

RAHUL KUMAR S/o Ramdhan Mahto Resident of Village- Mathurapur, P.S.
and Distt- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar, Advocate

For the Opposite Party/s : Mr. Tarun Prasad Mandal, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 25-09-2020 Heard Mr. Rajesh Kumar, learned counsel for the

petitioner and Mr. Tarun Prasad Mandal, learned Additional

Public Prosecutor appearing for the State through video

conferencing.

Petitioner apprehends arrest in connection with

Morkahi P.S. Case No. 151 of 2018 registered for the offence

punishable under Section 392 of the Indian Penal Code.

The allegation against the petitioner as per the First

Information Report is that on 1.12.2018 at 10:30 p.m. when he

along with his friend was going towards *Icharua*, he was

stopped by 2-3 persons. It is further alleged that one of the

accused persons showed gun to the informant and his friend and

snatched his two Mobiles and Rs.2,000/- cash.

Learned counsel for the petitioner submits that the



petitioner has not committed any offence in the manner alleged and he has been implicated in this case on the basis of confessional statement of co-accused Sanni Paswan. Learned counsel further submits that the petitioner has got no criminal antecedents.

On the other hand, learned counsel for the State submits that from perusal of the impugned order it would be evident that the court below has considered paragraph-41 of the case diary and has come to the conclusion that para 41 of the case diary disclosed that the petitioner was using his SIM in the snatched Mobile.

Having regard to the submissions made by the parties and taking into consideration the materials on record, I am not inclined to grant anticipatory bail to the petitioner.

Accordingly, the prayer for anticipatory bail of the petitioner stands rejected.

(Anil Kumar Sinha, J)

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