

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66370 of 2019

Arising Out of PS. Case No.-53 Year-2019 Thana- CHIKSAUR District- Nalanda

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M.P. Yadav @ M.P. Sahab @ Mantu Kumar , Male, aged about 20 years, Son of Binod Kumar, Resident of Village- Asharafpur, Police Station - Dhanarua, District- Patna.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Dr. Amrendra Kumar

For the Opposite Party/s : Mr. Anil Kumar Singh No. 1

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 04-03-2020 Heard Dr. Amrendra Kumar, learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

The petitioner apprehends his arrest in connection with Chiksaura P.S. Case No. 53 of 2019, registered for the offence punishable under Section 392 of the Indian Penal Code, 1860.

The petitioner is not named in the F.I.R. The prosecution story is that the informant along with his friend Jugendra Paswan while going on a motorcycle after closing his electronic shop was intercepted by four persons and they snatched a sum of Rs. 20,000/-, Aadhar Card, PAN Card, owner book of the motorcycle of the informant and mobile of the



friend of the informant.

Dr. Amrendra Kumar, learned counsel appearing for the petitioner submits that the petitioner is not named in the F.I.R. and his name has transpired on the basis of the confessional statement of the arrested co-accused. Learned counsel further submits that the statement of the alleged eye witness - Chhotelal Yadav was taken by the Police after twenty two days of the date of occurrence and the said eye witness has identified the petitioner due to oblique motive and previous enmity.

On the other hand, learned counsel appearing for the State opposing the prayer for anticipatory bail submits that investigation in the case is going on and in the confessional statement the arrested co-accused has disclosed the name of the petitioner as one of his accomplices and statement of the arrested co-accused has been supported by another eye witness Chohtelal Yadav, as such, the petitioner does not deserve the privilege of anticipatory bail.

After having heard learned counsel for the parties and taking into consideration the fact that the arrested co-accused in his confessional statement has specifically disclosed the name of the petitioner which has been supported by another eye witness



namely, Chhotelal Yadav and investigation in the case is going on, I am not inclined to grant anticipatory bail to the petitioner.

The petition is rejected.

(Anil Kumar Sinha, J)

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