

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 61582 of 2019

Arising out of PS. Case No.-135 Year-2019 Thana- MIRGANJ District- Gopalganj

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Pappu Ansari, (Male), aged about 35 years, Son of Late Motin Ansari
Resident of Village- Jigna Narapatti, Police Station- Mirganj, District-
Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Lokesh Kumar Singh, Advocate

For the Opposite Party/s : Mr. Nirmal Kumar Sinha, APP.

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL ORDER

4 05-03-2020 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends arrest in connection with
Mirganj P.S. Case No. 135 of 2019 dated 28.05.2019 instituted
under Section 392 of the Indian Penal Code and Section 27 of
the Arms Act.

3. The allegation against the petitioner is of looting
away the bag of the informant which had cash of more than Rs.
2,00,000/- (Two Lakhs) as also various documents including
Aadhar Card, Driving License, owner book of motorcycle, Voter
Card, PAN Card etc.

4. Learned counsel for the petitioner submitted that
there is no recovery from the petitioner and he has not been



named and on the confessional statement of co-accused Manu Mishra who was caught, others, including the petitioner have been made accused and later three others who were caught have also taken name of the petitioner. It was submitted that only on such confessional statement, without there being any evidence against him to show his involvement in the crime, he has been made accused. Learned counsel submitted that similarly situated accused **Solzar Miyan** has been granted anticipatory bail by a Co-ordinate Bench on 13.12.2019 in Cr. Misc. No. 82843 of 2019.

5. Learned APP, from the case diary, submitted that the petitioner has been named by all the four accused who have been arrested. It was submitted that from the CCTV footage, involvement of the petitioner, along with others, has been clearly established while they were walking behind the informant and his companion. It was further submitted that before the Hon'ble Court on 13.12.2019 while the case of **Solzar Miyan** (supra) was being considered the case diary was not produced to show his direct involvement in the crime as the investigation done by the police was not available with the learned APP to demonstrate such CCTV evidence, as has been noticed by the Coordinate Bench, which in the present case is



clear from the materials available in the case diary.

6. Having considered the matter, in view of the fact that the petitioner's direct involvement is clear from the CCTV footage in which he has been identified following the informant and later on committing the crime, the Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, the application stands dismissed.

(Ahsanuddin Amanullah, J)

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