

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.676 of 2020

Arising Out of PS. Case No.-253 Year-2019 Thana- HARNAUT District- Nalanda

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Anuj Kumar @ Anuj Yadav, Male, aged about 30 years, Son of Sita Yadav,
Resident of Village - Barah, P.S.- Kalyan Bigha, Distt.- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Raj Kishor Prasad, Advocate

For the Opposite Party/s : Mr.Sanjay Kumar Sharma

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 25-02-2020 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Harnaut P.S. Case No. 253 of 2019 registered for the offences punishable under Sections 392, 411 of the Indian Penal Code.

Prosecution case, in brief, is that on 27.07.2019, the informant and his colleague staff went to deliver the Cake in the Stationary Shop. It is stated that after delivery the cake, he was returning with his motorcycle and as soon as they reached near Dwarika Bigha Bridge (pool) one Scorpio vehicle and a motorcycle stopped by overtaking his vehicle. It is further stated that 4 to 5 persons were sitting in the Scorpio and only two persons get down from the Scorpio holding pistol in his hand



and on the point of pistol, they snatched his motorcycle and fled away. It is further alleged that the information was given to the patrolling police who informed the chero police and after some time, it was informed that the two persons were nabbed with motorcycle. Then the informant went there as recognized one of the accused persons. The arrested accused persons disclosed his name as Guddu Kumar and Anuj Yadav and it is alleged that the looted motorcycle was recovered.

Learned counsel for the petitioner submits that the petitioner has not arrested at the place of occurrence. Learned counsel for the petitioner further submits that the police has taken signature forcibly on the seizure list whereas nothing incriminating articles were recovered from the possession of the petitioner.

I have gone through the order of the learned Sessions Judge. There is specific allegation against the petitioner, who identified the petitioner and the motorcycle has been recovered.

In the facts and circumstances of the case, I am not inclined to grant anticipatory bail to the petitioner. Accordingly, the prayer for grant of anticipatory bail to the petitioner in connection with Harnaut P.S. Case No.253 of 2019 pending in the court of C.J.M., Nalanda at Biharsharif is hereby rejected.



However, the petitioner is directed to surrender before the court below and learned court below shall pass order on the same day without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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