

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27959 of 2021

Arising Out of PS. Case No.-312 Year-2020 Thana- PALIGANJ District- Patna

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RISHAB KUMAR @ RISHABH KUMAR Son of Kamlesh Kumar Singh
Resident of Village- Torani, P.S.- Paliganj, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Shyameshwar Dayal, APP

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

(The proceedings of the Court are being conducted through Video Conferencing and the Advocates joined the proceedings through Video Conferencing from their residence.)

2 16-06-2021 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 457 and 380 of the Indian Penal Code.

Informant is a police officer who has alleged that on 26.09.2020 at about 22 hrs. in night patrolling, he along with other police personnel were going to raid at village Jitan Chhapra and in course of that at about 1:15 a.m., they got information that some unknown persons are cutting one ATM Machine at village Mahabalipur and after receiving such information, the police party rushed there and found that the

shutter of ATM was opened and ATM machine was damaged. Some persons present there told the police that at about 1:06 a.m., they heard sound and on their alarm, four persons fled away leaving a motorcycle. The police seized a 5 liter gas cylinder, gas cutter and an Apache motorcycle without number and prepared seizure list.

During course of investigation, it was found that the seized motorcycle belongs to co-accused Sharwan Kumar and thereafter he was arrested and he confessed the name of petitioner as one of his accomplice.

In para 29 of the case diary, it has come that on search, one C.C.T.V. camera was recovered from the house of the petitioner and in paras 37, 38 and 39 of the case diary, the C.D.R. of mobile of petitioner shows talks among other co-accused persons and their location near the place of occurrence.

Considering the facts and circumstances of the case and nature of allegation, I am not inclined to grant anticipatory bail to the petitioner. Hence, the prayer for bail of the petitioner is hereby dismissed.

(S. Kumar, J)

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