

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29914 of 2020

Arising Out of PS. Case No.-86 Year-2018 Thana- BIHPUR District- Bhagalpur

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GOLU KUMAR, S/o Munna Kumar @ Munna Yadav Resident of Village-
Aunta, P.S.-Hathidah, District-Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ashok Kumar Kashyap, Advocate
For the Opposite Party/s : Mr. Khurshid Alam, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 19-01-2021 Heard Mr. Ashok Kumar Kashyap, learned Counsel for

the petitioner and Mr. Khurshid Alam, learned Additional Public

Prosecutor for the State.

This application, for grant of anticipatory bail, arises
out of Bihpur (Jhandapur) Police Station Case No. 86 of 2018,
disclosing offences under Section 394 of the Indian Penal Code.

The allegation against the petitioner, on the basis of the
First Information Report is that two persons stopped the pick up van
of the informant and fled away with the vehicle. It is further alleged
that accused persons assaulted the informant and his associate.

Learned counsel for the petitioner submits that
petitioner has not committed any offence in the manner alleged and
he has been dragged in this case on the basis of confessional
statement of co-accused, Nikesh Kumar. Learned counsel for the



petitioner next submits that on the date of occurrence, the petitioner was in custody in connection with Naugachia P.S. Case No.69 of 2018 and have been granted bail on 24.11.2018.

On the other hand, learned counsel for the State vehemently opposes the prayer for anticipatory bail and submits that during course of investigation, the name of the petitioner has transpired and co-accused has specifically disclosed that the petitioner was also involved in the present offence. Learned counsel next submits that in support of statement that the petitioner was in custody on the date of occurrence, no document has been produced by the petitioner before this Court despite sufficient time having been granted to learned counsel for the petitioner.

Having regard to the submissions made by the parties and taking into consideration the materials on record and nature of allegation and the fact that petitioner has got criminal antecedent, I am not inclined to grant the petitioner privilege of anticipatory bail. Therefore, the prayer for the same is hereby rejected.

sanjeev/-

(Anil Kumar Sinha, J)

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