

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31469 of 2020

Arising Out of PS. Case No.-146 Year-2019 Thana- SIKANDRA District- Jamui

RAJESH PASWAN Son of Satdeo Paswan Resident of Village- Pohe, P.S.-
Sikandra, District- Jamui. Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pankaj Kumar Sinha

For the Opposite Party/s : Mr. Chandra Bhushan Prasad

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

3 12-01-2021 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Sikandra Police Station Case No. 146 of 2019, disclosing offences under Section 392 of the Indian Penal Code.

The allegation, as per the First Information Report, is that on 25.05.2019, at about 9 PM, the informant was intercepted by 3-4 unknown persons and the accused persons assaulted and looted away the motorcycle of the informant and the informant has identified one person, i.e. the petitioner.

Learned Counsel for the petitioner submits that the petitioner has falsely been implicated in this case due to some dispute relating to wages inasmuch as the father of the petitioner had worked as a labourer in the house of the informant and proper wages were not being given to him by the informant. He further submits that the looted motorcycle was recovered in the



morning of 27.05.2019 and the alleged occurrence has taken place on 25.05.2019 and a written report to this effect was submitted to the police on 26.05.2019 and the First Information Report was registered on the same date, i.e. on 26.05.2019. He further submits that the petitioner has got no criminal antecedent.

Having regard to the submissions made on behalf of the parties and taking into consideration the materials on record and the fact that there is specific allegation against the petitioner and the police, after completion of investigation, found the allegation to be true, I am not inclined to grant the petitioner privilege of anticipatory bail.

This application is, accordingly, dismissed.

However, it is made clear that if the petitioner surrenders before the learned Court below within a period of six weeks from today and seeks regular bail, the same may be considered by the learned Court below on its own merits, without being prejudiced by withdrawal of the present application for grant of anticipatory bail.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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