

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36712 of 2020**

Arising Out of PS. Case No.-575 Year-2018 Thana- BHAGALPUR KOTWALI District-
Bhagalpur

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Hari Sah @ Hani Sah, Son Of Lokpal Sah Resident Of Village - Chhoti
Khanjarpur Chowk, P.S. Barari, District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajive Ranjan Singh- Advocate

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

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 26-10-2021 Heard the learned Advocate for the petitioner and the

learned APP for the State.

The petitioner seeks bail in anticipation of his arrest in
connection with Kotwali (Barari) P. S. Case No.575 of 2018,
instituted for the offences under Sections 379 and 356 of the
Indian Penal Code.

The learned counsel for the petitioner submits that
from bare perusal of prosecution report, the informant has
alleged that the mother and wife of the informant had gone for
morning walk in Sandis compound at about 5.45-6.00 hours,
then suddenly two persons, who were riding on a bike, came
from behind and snatched a golden chain from the neck of the
mother of the informant.

The learned counsel for the petitioner submits that the
petitioner is not named in the F.I.R. and he is a person of clean



antecedents as stated in Para-3 of the petition. The allegations levelled against the petitioner is false and omnibus in nature.

The learned A.P.P. after going through the case diary submits that during course of investigation at Para-29, it has come that the mother of the informant after seeing the picture in Dainik Bhaskar Newspaper, she identified that person, who has snatched the golden chain. Accordingly, the police was informed and thus, the name of the petitioner transpired in this case. Learned A.P.P. further submits that at Para-31 of the case diary, it is recorded that one criminal case has also been filed against the petitioner.

Considering the fact that the petitioner has been identified based on picture published in the newspaper by the mother of the informant, who is real victim of the case, this Court is not inclined to enlarge the petitioner on anticipatory bail.

Accordingly, the prayer for anticipatory bail of the petitioner is rejected.

(Satyavrat Verma, J)

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