

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37008 of 2020

Arising Out of PS. Case No.-270 Year-2020 Thana- SARAIYA District- Muzaffarpur

SANTOSH PASWAN S/o Late Bachchan Paswan Resident of Village-
Bahilbara, Govind Laxmi @ Siuri Gopinathpur, P.S.- Saraiya, District-
Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raju Kumar, Advocate

For the Opposite Party/s : Mr. Uma Shankar Prasad Singh, APP.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 17-04-2021 Heard learned counsel for the petitioner and learned
APP for the State through virtual mode.

Counsel for the petitioner is directed to remove the
defect(s), as pointed out by the office, within a period of four
weeks.

The petitioner is apprehending his arrest in connection
with Saraiya P.S. case No.270 of 2020 registered for the offence
under Section 395 of Indian Penal Code, pending in the court of
Additional Chief Judicial Magistrate 1st (West), Muzaffarpur.

The prosecution case, in short, is that on the point of
pistol the accused persons including the petitioner snatched the
motorcycle, mobile phone and ATM card of the informant.

It has been submitted on behalf of the petitioner that



the petitioner has got no criminal antecedent and there is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in this case. Due to previous enmity, the petitioner has been made accused in this case. There is no recovery of any incriminating article from the possession of the petitioner.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R. He was identified by the informant at the spot in the light of truck.

Considering the aforesaid facts and circumstances, I am not inclined to grant anticipatory bail to the petitioner. The same is rejected.

If the petitioner surrenders before the court below and prays for regular bail, same shall be considered on its own merit without being prejudiced by this order. If possible, the regular bail of the petitioner be disposed of preferably on the same day.

(Sudhir Singh, J)

Narendra/-

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