

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37914 of 2020

Arising Out of PS. Case No.-53 Year-2019 Thana- PURUSHOTTAMPUR District- West
Champaran

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MD SHAHZAD @ SHAHJAD MIYA S/O MD. RAMTULLAH MIYAN,
RESIDENT OF KHAMIYAH, P.S. - INARWA, DISTRICT - WEST
CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey, Adv.

For the Opposite Party/s : Mr.Jai Narain Thakur, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 01-07-2021 Heard both sides through Video Conferencing.

The petitioner apprehends his arrest in Purshottampur
P.S. Case No.53 of 2019 registered under Section 392 of the
Indian Penal Code.

The informant alleged that while he was returning
after collection of Rs.2,50,000/- from different shopkeepers and
reached near the field of Mukhiyajee, some unknown miscreants
intercepted him and they assaulted him with fists and slaps. The
accused persons snatched his mobile and bag containing cash of
Rs.2,50,000/- from the dickey of the motorcycle and fled away.

Learned counsel for the petitioner submits that the
petitioner is not named in the F.I.R. Nothing has been recovered
from possession of the petitioner. The name of the petitioner

surfaced in the case in the confessional statements of Munna Alam and Md. Saddam.

It appears that it is a case of robbery in a broad day light and the name of the petitioner surfaced in the case in the confessional statements of two accused persons. The informant claimed to identify the miscreant and, therefore, the petitioner requires to be put on T.I.P.

Having considered the facts aforesaid, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the same is rejected.

If the petitioner surrenders in the court below, the learned court below shall consider the prayer for regular bail of the petitioner on its own merit without being prejudiced from the order of this court.

(Prabhat Kumar Jha, J)

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