

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39424 of 2020**

Arising Out of PS. Case No.-61 Year-2020 Thana- KOTWA District- East Champaran

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VICKY RAJ @ VIVEK RAJ @ VICKY SAHANI Son of Late Umesh Sahani
Resident of Village - Chand Parsa, P.S.- Keshariya, District - East Champaran.

... .. Petitioner.

Versus

The State of Bihar

... .. Opposite Party.

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Appearance :

For the Petitioner : Mr. Ravindra Kumar, Advocate.
For the State : Mr. Sunil Kumar Pandey, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 15-07-2021 As prayed for, through Video Conferencing, let the learned counsel for the petitioner remove the defect(s), as pointed out by the office vide its notes dated 24.12.2020, within four weeks of starting of the Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioner and the learned A.P.P. for the State, through Video Conferencing.

The petitioner apprehends his arrest in connection with Kotwa P.S. Case No.61 of 2020/G.R. No.1553 of 2020 registered under Section 392 of the Indian Penal Code, pending in the court of the Chief Judicial Magistrate, East Champaran at Motihari.

The accusation is that two unknown persons boarding on a motorcycle came near the informant Vikash Kumar Mahto and snatched cash Rs.29910/- from him. When Ravi Kumar Chaudhary, the colleague of the informant, came there, then the aforesaid two



unknown persons started to cause assault him and snatched Rs.21010/- from him. The informant claimed to identify the aforesaid two culprits on seeing them again.

Learned counsel appearing on behalf of the petitioner submits that it would appear from the F.I.R. that on the basis of the fardbeyan of the informant, the present case was instituted against two unknown, as such, the petitioner is not named in the F.I.R. Further submission is that the name of the petitioner has surfaced in this case in course of investigation in the confessional statement of the co-accused Akash Kumar. The petitioner has no criminal antecedent.

Having considered the facts and the circumstances of the case and the nature of allegation against the petitioner, I am not inclined to grant anticipatory bail to the petitioner. Accordingly, the prayer of the petitioner for grant of anticipatory bail stands rejected. However, the petitioner is directed to surrender before the trial court within four weeks from today and pray for regular bail, which shall be considered by the trial court in accordance with law without being prejudiced by the order of this Court.

(Rajendra Kumar Mishra, J)

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