

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8525 of 2021

Arising Out of PS. Case No.-73 Year-2018 Thana- DHOLBAJJA District- Bhagalpur

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SANOJ MANDAL @ SANOJ KUMAR MANDAL Son of Sri Dasharath
Mandal Resident of Village- Harinkol, P.S.- Dhamdaha, District- Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Amit Kumar Anand, Adv.

For the Opposite Party/s : Mr.Anand Kishore Choudhary, APP

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 26-11-2021 Heard the parties.

Learned counsel for the petitioner is directed to remove the defects as pointed out by the office within a period of four weeks. In the eventuality of non-removal of defects within the stipulated time, office will place the matter before the Bench.

The petitioner apprehends his arrest in a case in connection with Dholbajja (Kadwa) P.S. Case No.73 of 2018, registered for the offence punishable under Section 392 of the Indian Penal Code.

The prosecution case in short is that while the informant was returning from Mohanpur, three accused persons came there on motorcycle and pushed his bike. Thereafter, two of them started assaulting him with butt of arms and took cash of Rs.57,766/- and three pieces of Mobile from the informant and fled away.



It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. He is not named in the FIR and on the basis of confessional statement of one apprehended co-accused, his name transpired in the case. He has been falsely implicated in this case merely on suspicion. No incriminating article has been recovered from his conscious physical possession. The allegation leveled against the petitioner is not specific rather general and omnibus in nature. Petitioner has no criminal antecedent.

Learned APP for the State opposed the prayer for anticipatory bail and submits that the anticipatory bail prayer of two of the co-accused persons has been rejected by co-ordinate Benches of this court and one of the co-accused has been enlarged on regular bail.

Considering the facts and circumstances of the case, I am not inclined to grant the privilege of anticipatory bail to the petitioner named above.

The instant anticipatory bail application is accordingly dismissed.

(Anjani Kumar Sharan, J)

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