

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3538 of 2022

Arising Out of PS. Case No.-186 Year-2021 Thana- KHIJARSARAI District- Gaya

1. RENU DEVI W/O DEO KUMAR SINGH @ DEO KUMAR R/o village-
Lalu Bigha, P.S.- Khizarsari, District- Gaya
2. Niranjan Kumar @ Ranjan Kumar@ Amit Kumar S/o Deo Kumar Singh @
Deo Kumar R/o village- Lalu Bigha, P.S.- Khizarsari, District- Gaya
3. Saloni Kumari D/o Deo Kumar Singh @ Deo Kumar R/o village- Lalu
Bigha, P.S.- Khizarsari, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Priya Ranjan
For the Opposite Party/s : Mr.Rajeev Nayan

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 05-08-2022 Learned counsel for the petitioners is directed to
remove all the defects pointed out by the Stamp Reporter within
one month.

At the outset, learned counsel for the petitioners has
submitted that during the pendency of this anticipatory bail
application, petitioner no.1 has been arrested and, as such, the
same has become infructuous. He, therefore, seeks permission
to withdraw this application as against petitioner no.1.

In view of the aforesaid submission, the application is
dismissed as withdrawn as **having become infructuous as
against petitioner no.1.**



Petitioner nos. 2 and 3 apprehend their arrest for the offences alleged under Section 380 of the Indian Penal Code, registered in connection with Khizarsarai P.S.Case No. 186 of 2021.

Petitioner no.2 used to work as employee in the electric shop of the informant. On 04.07.2021 at about 12.00 noon, the informant went to ease himself after handing over the shop to petitioner no.2. When he returned, he did not find petitioner no.2 there and he was surprised to know that from his cash counter Rs. 66,000/- was stolen away.

Learned counsel for the petitioners has submitted that petitioners are innocent and have falsely been implicated in this case. There is delay of three days in lodging of the FIR.

As per allegation, petitioner no.2, being the staff of the informant, had stolen away Rs.66,000/- from his shop. No motive has been assigned as to why petitioners have falsely been implicated in the case. Petitioner no.2, his sister and mother were seen in CCTV footage carrying some articles from the shop.

Considering the above facts and circumstances, Petitioner nos. 2 and 3 do not deserve the privilege of anticipatory bail. Their prayer for anticipatory bail is hereby



rejected.

Office shall ensure that all the defects are removed by the petitioners within the stipulated time provided hereinabove, failing which the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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