

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3555 of 2022

Arising Out of PS. Case No.-96 Year-2021 Thana- BHARGAMA District- Araria

TABARAK Son of Md. Yunus Resident of Village - Nurchak, Ward No.13,
P.s.- Bhargama, Distt.- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ramesh Kumar Singh
For the Opposite Party/s : Mr. Ram Naresh Ray

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

ORAL ORDER

2 10-08-2022 The learned counsel for the petitioner is directed to
remove all the defects pointed out by the office within one month.

Heard the learned counsel for the petitioner as well as
the learned Additional Public Prosecutor for the State.

The petitioner apprehends his arrest in connection with
Bhargama P.S. Case No. 96 of 2021 registered under Section 392
of the Indian Penal Code.

As per allegation, The informant is collection agent of
Bandhan Bank and after collection of Rs. 1,20,700/-, he was going
to deposit the money in the Bandhan Bank and when he reached
near Primary School, Paikpar, one miscreant stopped the
motorcycle at the point of pistol and two miscreants emerged
thereafter, and they committed loot of collected money and they fled
away.

Learned counsel for the petitioner has submitted that the



petitioner was not arrested at the spot, nothing was recovered from his possession and his name has only figured in the confessional statement of co-accused.

On the other hand, the learned Additional Public Prosecutor, Mr. Ram Naresh Ray has opposed the prayer for bail and submitted that the co-accused not only named the petitioner, but also the petitioner was identified in the CCTV footage by the co-accused itself.

The investigation is still continuing, as such, it is not a fit case for anticipatory bail. Accordingly, the prayer for anticipatory bail is rejected.

If the petitioner surrenders before the court below make a prayer for regular bail, that shall be disposed of without being prejudiced by this order. The learned court below may take notice of the fact that the petitioner is a person of clean antecedent.

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

(Nawneet Kumar Pandey, J)

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