

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14119 of 2021

Arising Out of PS. Case No.-156 Year-2020 Thana- SHAHKUND District- Bhagalpur

AZAD KUMAR Son of Ambika Paswan Resident of village - Baisa, P.S. -
Parbatta (Maraiya), District – Khagaria. Petitioner/s

Versus

THE STATE OF BIHAR Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sharda Nand Mishra
For the Opposite Party/s : Mr. Jharkhandi Upadhyay

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

ORAL ORDER

3 23-02-2022 Heard the learned counsel for the petitioner and the
learned Additional Public Prosecutor for the State

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

The petitioner apprehends his arrest in connection
with Shahkund (Sajour) P.S. Case No. 156 of 2020 registered
for offence punishable under section 392 of the Indian Penal
Code.

As per recital made in the fard-beyan, when the
informant was coming from his sasural and reached near Chada
More, three unknown persons intercepted his bike, pointed
pistol to his temporal region and took away his motor cycle,
Nokia mobile etc. The features and complexion of the accused
persons have been mentioned in the F.I.R.



The learned counsel for the petitioner has submitted that as per materials emerged during the course of investigation, the stolen motor cycle of the informant was recovered from the house of the present petitioner, but the seizure list does not contain the signature of his family members.

From perusal of the case diary it appears that during the course of investigation, a Hero Honda motor cycle was recovered from the house of the present petitioner in the presence of two independent witnesses, namely, Vijay Paswan and Bhukhal Paswan. There is nothing in the case diary, which shows that the alleged seizure list is fake or concocted.

As such, in my view, the petitioner does not deserve the benefit of anticipatory bail. Accordingly, his prayer for anticipatory bail is rejected.

Office shall ensure that all defects are removed by the petitioners 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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