

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7182 of 2022

Arising Out of PS. Case No.-536 Year-2018 Thana- TURKAULIYA District- East
Champaran

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GANESH KUMAR @ GANESH SAH SON OF LATE VISHWANATH SAH
R/O VILLAGE- SHANKAR SARAIYA, KALWARI TOLA, P.S.-
TURKAULIYA, DISTRICT- EAST CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Karandeep Kumar, Adv.

For the Opposite Party/s : Mr. Upendra Kumar, APP.

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 01-08-2022 Heard the parties.

Learned counsel for the petitioner undertakes to remove the defects within four weeks of resumption of normal court proceedings. In the eventuality of non-removal of defects within stipulated period, office will place the matter before the Bench.

The petitioner apprehend his arrest in a case registered for the offence punishable under sections 461 and 379 of the Indian Penal Code.

The allegation against the petitioner is that he along with other co-accused persons broke into the shop of the informant and stole some cash and mobile phones worth Rs.50,000/-.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. He



has been falsely implicated in this case at the instance of his enemies. No such occurrence, in the manner as alleged, has ever taken place. The allegation leveled against the petitioner is not specific rather general and omnibus in nature. It is submitted that the name of the petitioner transpired in the present case on the basis of statement of co-accused. The petitioner has not been apprehended on the spot nor any indiscriminating articles has been recovered from his possession. Recovery has been made from the house of co-accused Dhrup Thakur. Petitioner has three criminal antecedent, as also mentioned in para-3 of the bail application.

Learned APP for the State opposed the prayer for anticipatory bail.

Having regard to the facts and circumstances of the case, since the petitioner is a member of the syndicate who has looted the articles from the informant, I am not inclined to grant bail to the petitioner. The prayer for grant of anticipatory bail on his behalf is hereby rejected.

This application is accordingly, dismissed.

(Anjani Kumar Sharan, J)

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