

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24184 of 2022**

Arising Out of PS. Case No.-36 Year-2022 Thana- SURYAGARHA District- Lakhisarai

=====

Mohan Singh @ Mohan Kumar S/O Baso Singh R/O Village- Salempur
Purvari Tola, P.S.- Suryagadha (Manikpur), Distt.- Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Binay Kumar
For the Opposite Party/s : Mr.Rajendra Nath Jha

=====

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 23-11-2022 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner is apprehending his arrest in a

case registered for the offences punishable under

Sections 379, 411 of the Indian Penal Code.

It is a case of recovery of stolen batteries from

the house of the petitioner.

It is submitted by learned counsel for the

petitioner that petitioner has falsely been implicated in

this case. The petitioner was not apprehended from the



spot. The name of the petitioner came on the confessional statement of co-accused Madhav Murari and Chetan Kumar which have no evidentiary value. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

Learned A.P.P appearing on behalf of the State has vehemently opposed the prayer for anticipatory bail of the petitioner and submitted that recovery has been made from the latrine house of the petitioner and from the confessional statement of co-accused persons, it appears that petitioner was directly involved in the commission of theft with other co-accused persons.

In the facts and circumstance of the case, this Court is not inclined to grant anticipatory bail to the petitioner.

Accordingly, the petition is disposed off with a direction to the petitioner to surrender before learned Court below and pray for regular bail. The learned Court below may consider the prayer for regular bail of the



petitioner, keeping in view the facts discussed above and
without being prejudiced by the order of this Court.

(Sunil Kumar Panwar, J)

Shageer/-

U		T	
---	--	---	--

