

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24394 of 2022

Arising Out of PS. Case No.-659 Year-2018 Thana- HAJIPUR SADAR District- Vaishali

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MUKUL RAI @ MUKUL KUMAR Son of Birendra Ray @ Virendra Rai
R/O Village - Digghi Kala Purvi, Ward No.- 9, Naya Tola Digghi, P.S.-
Hajipur Sadar, District - Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ravish Mishra, Advocate

For the Opposite Party/s : Mr.Atul Chandra, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 01-09-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 356, 379 and 323 of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner has antecedent of one case and the informant alleges that while he was going along with his mother and sister on scooty, he was intercepted by an accused on a bike who snatched a bag containing Rs. 2,000/- from his mother along with Samsung mobile worth Rs.14,000/-.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in the



present case based on confessional statement of Mantu Rai which has no evidentiary value, it is further submitted that the informant himself alleges that only one accused was present on the bike but since Mantu Rai has been arrested that in itself demonstrates that petitioner has been falsely implicated as charge-sheet against Mantu Rai has been submitted.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner and submits that the statement of Mantu Rai is not before this Court and at the same time the name of the petitioner transpired in his confessional statement and there is no pleading in the anticipatory bail application that the bike does not belong to the petitioner, thus it is submitted that in absence of necessary pleadings in the anticipatory bail application, it *prima-facie* appears that it was the petitioner who had committed the occurrence.

Considering the submissions made by the learned A.P.P. for the State, the Court is not inclined to extend privilege of anticipatory bail to the petitioner. His prayer for anticipatory bail is thus rejected.

(Satyavrat Verma, J)

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