

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36134 of 2021

Arising Out of PS. Case No.-160 Year-2020 Thana- DESARI District- Vaishali

NITISH KUMAR @ NITESH KUMAR Son of Suresh Paswan Resident of
Village - Khoksa Kalyan, P.S.- Desari, District - Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shivjee Singh, Adv.
For the Opposite Party/s : Mr.A.G

**CORAM: HONOURABLE MR. JUSTICE SANJEEV PRAKASH
SHARMA**

ORAL ORDER

2 10-02-2022 Heard the parties through video conferencing.

The petitioner apprehends his arrest in connection with Desari P.S. Case No. 160 of 2020 registered for the offence under Sections 392 of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner's name has been crept in the case solely on the basis of statement of another person who has been arrested in a case bearing Desari P.S. Case No. 203 of 2020. Learned counsel for the petitioner further submits that on the basis of such statement the petitioner ought not to have been arrested.

I have considered the submission, in a case where a person namely Ratan Kumar has lodged the F.I.R. alleging that two persons have taken away the amount from him and he also



mentions about their height and features. Apparently in a case under Section 392 of the I.P.C. an accused is required to be identified and the identification would be done by the informant.

In view thereof, considering that custodial interrogation and identification is necessary, I am not inclined to grant benefit of anticipatory bail to the above named petitioner.

Accordingly, the prayer for anticipatory bail is rejected.

(Sanjeev Prakash Sharma, J)

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