

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27841 of 2022

Arising Out of PS. Case No.-505 Year-2021 Thana- KORHA District- Katihar

ASHOK MANDAL Son of Yogendra Mandal Resident of Village -
Chethariapir, P.s.- Korha, Distt.- Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar Singh, Adv.

For the Opposite Party/s : Mrs.Pushpa Sinha.1, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 07-09-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

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 apprehends his arrest in connection with Korha P.S. Case No.505 of 2021, registered for the offence punishable u/s 379 of the IPC.

Prosecution case in brief is that the informant being Guard at Ma Kali Parking Yard went to sleep in the night and when he woke up, he found that the tire of the parked vehicles were stolen. In the C.C.T.V. footage, four persons including the petitioner were seen committing the offence of theft.



It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has not committed any offence as alleged in the FIR. He has been falsely implicated in this case due to local politics. There is general and omnibus allegations against two named and two unknown accused for theft of wheel of the vehicle. It is further submitted that no recovery of stolen article has been made from the conscious physical possession of the petitioner. Petitioner has no criminal antecedent.

Learned APP opposes the prayer for bail by submitting that in the C.C.T.V. footage, the accused persons are clearly visible and petitioner has been identified by the informant.

Having regard to the facts and circumstances of the case, I am not inclined to enlarge the petitioner on bail. 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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