

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40114 of 2021

Arising Out of PS. Case No.-22 Year-2018 Thana- SUPPI District- Sitamarhi

AVINASH KUMAR S/o Kaushal Kishore Thakur Resident of Village-
Ganeshpur Ward No. 10, P.S.- Riga, District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Uday Kumar, Adv.
For the Opposite Party/s : Ms.Asha Kumari, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 21-03-2022 Heard the parties.

Learned counsel for the petitioner undertakes to remove the defects as pointed out by the office within a period of four weeks. In the eventuality of non-removal of defects within the stipulated time, office will place the matter before the Bench.

The petitioner apprehends his arrest in a case in connection with Suppi P.S. Case No.22 of 2018, registered for the offence punishable under Section 394 of the IPC.

The prosecution case in short is that five unknown persons are said to have forcibly draw the informant from his motorcycle and snatched gold articles, key of motorcycle, mobile phone with sims and cash Rs.1000/-.

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 on the basis of suspicion. He is neither named in the FIR nor any incriminating article has been recovered from the possession of the petitioner. Only on the confessional statement of co-accused, the name of petitioner transpired in this case. The allegation leveled against the petitioner is not specific rather general and omnibus in nature. Petitioner has one criminal antecedent.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, since the apprehended co-accused has confessed the involvement of the petitioner in the present case, I am not inclined to grant the privilege of anticipatory bail to the petitioner. The prayer for bail to the petitioner named above is rejected.

The instant application is accordingly dismissed.

(Anjani Kumar Sharan, J)

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