

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41769 of 2022

Arising Out of PS. Case No.-76 Year-2018 Thana- BARAUNI RAIL P.S. District- Begusarai

RAMVALI KUMAR S/o Gadho Thakur R/o village- Singhaul, Ward No. 2
(Ward No. 1), P.S.- Singhaul, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sarvottam Kumar
For the Opposite Party/s : Mr. Md. Fahimuddin

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 28-11-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Learned counsel for the petitioner is directed to remove
the defects within four weeks.

The petitioner apprehends his arrest in a case registered
for the offence punishable under sections 379, 411/34 of IPC.

Allegedly, two bags of the informant were stolen by
unknown persons. There were several items like key of room,
bike and godrej, cash amount of Rs.6500/-, Id cards, credit card
including two phones in the bags.

It is submitted by learned counsel for the petitioner that
petitioner is quite innocent and have committed no offence. He
has been falsely implicated in this case. No such occurrence, in
the manner as alleged, has ever taken place. The allegation



levelled against the petitioner is not specific rather general and omnibus in nature. He further submits that after investigation police submitted charge-sheet against the petitioner and other accused person. The name of the petitioner came in this case on the basis of tower location of theft mobile. It appears from the perusal of CDR of theft mobile of the petitioner is that theft mobile of the informant having IMEI No.911498450525910 as such IMEI no. of theft mobile of the informant does not matched with the mobile, which was recovered from the house of the petitioner. Petitioner neither theft the mobile of the informant or other articles of him nor he was involved in the alleged occurrence. Petitioner has no criminal antecedent.

Learned APP for the State opposed the prayer for anticipatory bail by submitting that as per para-73 of case diary, the father of the petitioner stated that the stolen mobile was being used by his son, but he could not tell from where he has purchased this mobile. As per para-82 of the case diary, the petitioner has stated that he has purchased the said mobile from any person, but no receipt for purchasing of mobile has been filed on behalf of the petitioner.

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



The prayer for grant of anticipatory bail on behalf of the petitioner is rejected.

This instant application is dismissed.

(Anjani Kumar Sharan, J)

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