

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51242 of 2021

Arising Out of PS. Case No.-137 Year-2020 Thana- BELA District- Sitamarhi

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ABHISHEK KUMAR S/o ANIL SINGH R/o VILLAGE-KHAURWA,
WARD No. 14, P.S-BELA, DISTRICT- SITAMARHI.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Hans Lal Kumar

For the Opposite Party/s : Mr.Uday Pratap Singh

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

5 07-11-2022 Heard the parties.

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 457, 380 of the Indian
Penal Code.

Allegedly, theft was committed in the grocery shop of the
informant. The said occurrence was recorded in the C.C.T.V.
camera installed in the shop which revealed that the co-accused
Rajesh Kumar, was involved in the alleged occurrence and
committed theft entering in the shop.

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. The petitioner is not named in the FIR nor any incriminating articles has been recovered from his conscious physical possession. During investigation by the police, the petitioner has been made accused. Petitioner has no criminal antecedent.

Learned APP for the State opposed the prayer for anticipatory bail and submits that on the basis of the materials available in the impugned order and also the footage of CCTV camera, it is evident that the petitioner is also involved in the theft committed at the shop of the informant

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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