

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54698 of 2021

Arising Out of PS. Case No.-173 Year-2013 Thana- MOTIPUR District- Muzaffarpur

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SURYA DEO SINGH Son of Doma Singh @ Shobha Singh Resident of
Village- Islampur, P.S.- Goraul, District- Vaishali at Hajipur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pranav Kumar Jha

For the Opposite Party/s : Mr. Narendra Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 07-11-2022 Heard both sides.

The petitioner apprehends his arrest in connection with Motipur P.S. Case No.173 of 2013, registered for the offence punishable under Section 392 of the Indian Penal Code.

The informant, who is the driver of a truck numbered as JH12B-8780, alleged that 09.07.2013, when he alongwith the Khalasi of the truck reached near Mahmadpur Balmi Chowk, four accused persons stopped the truck and gave injections to them. Thereafter the driver and Khalasi of the truck became unconscious and the accused persons fled away with truck and goods loaded on it.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. It is submitted that the petitioner has got no



criminal antecedent as stated in paragraph-3 of the bail application. It is further submitted that the petitioner is not named in the FIR. During investigation, the name of the petitioner surfaced in the case in the confessional statement of the co-accused. It is submitted that there is no material available in the case diary to show the involvement of the petitioner in the alleged offence.

Learned APP for the State opposed the prayer for anticipatory bail of the petitioner.

Considering the nature of offence and the fact that the name of the petitioner surfaced in the case in the confessional statement of the co-accused, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the prayer for anticipatory bail of the petitioner is rejected.

(Anjani Kumar Sharan, J)

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