

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55255 of 2021

Arising Out of PS. Case No.-281 Year-2020 Thana- JHAJHA District- Jamui

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DHARMENDRA KUMAR, aged about 25 years, Male, Son of Brahmdeo Yadav, Resident of Village - Karhara, Police Station - Jhajha , District - Jamui.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Pramod Kumar, Advocate
For the Opposite Party : Mrs. Madhuri Lata, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 19-01-2022 Due to the third wave of COVID-19 Pandemic, the matter is being taken up by way of Virtual Court proceeding.

The matter has been listed under the heading ‘For Orders’ under the orders of Hon’ble the Chief Justice.

Heard learned counsel for the petitioner and learned A.P.P. for the State through Virtual mode.

Learned counsel for the petitioner is directed to remove the defects, as pointed out by the office, within a period of four weeks after restoration of normalcy.

The petitioner is apprehending his arrest in connection with Jhajha P.S. Case No. 281/2020 for the offence registered under Section 394 of the I.P.C.

The prosecution case, in brief, is that on 19.08.2020,



the informant was coming from Jhajha alongwith Abhishek Raj by his Motorcycle and when at 7.30 P.M., they reached at Duarpahari-More near High School, then the informant saw that co-accused Sunil Yadav, Jitendra Kumar and Dharmendra Kumar (petitioner) were standing armed with revolver and co-accused Sunil Yadav stopped his Motorcycle and all accused persons assaulted him and they also took away his Motorcycle, cash of Rs. 11,000/- and other articles of the informant.

It has been submitted by learned counsel for the petitioner that the petitioner has got no criminal antecedent. He has falsely been implicated in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. There is no recovery of any incriminating article from possession of the petitioner.

On behalf of the learned counsel for the State, it has been submitted that the petitioner is named in the F.I.R. The informant identified the petitioner who is alleged to have committed robbery.

Considering the fact that the petitioner has been identified by the informant while committing robbery, I am not inclined to grant anticipatory bail to the petitioner. The same is rejected in connection with Jhajha P.S. Case No. 281/2020,



pending in the court of learned C.J.M., Jamui.

If the petitioner surrenders in the learned court below and prays for regular bail, the same shall be considered on its own merit without being prejudiced by this order of the Court.

(Sudhir Singh, J)

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