

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56934 of 2021

Arising Out of PS. Case No.-23 Year-2021 Thana- RAGHOPUR District- Vaishali

ARVIND RAY S/o Nanda Ray R/o Village- Sarfabad, P.S.- Rustampur,
District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Subodh Kumar

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

5 09-11-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Raghapur (Rustampr) P.S. Case no. 23 of 2021 instituted for the offence punishable under Section 392 of the Indian Penal Code.

As per allegation in the FIR, when the informant who is working in the Fatuha Branch as L&T Finance Field Officer, was going to a customer by making collection, three persons stopped him at a bridge and snatched his collected cash & his motorcycle at gunpoint.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no



offence. He has falsely been implicated in this present case on basis of confessional statement of apprehended co-accused namely Mukesh Kumar. Petitioner has got no criminal antecedent.

Learned APP appearing for the State has opposed the prayer of bail and submitted that the stolen motorcycle has been recovered from the house of the petitioner and this fact shows by the seizure list vide Annexure 2. It is further submitted vide para 30 of the case diary that the informant identified the said motorcycle.

Having heard learned counsel for the parties and considering the fact that the motorcycle has been recovered from the house of the petitioner, I am not inclined to grant bail to the petitioner and, as such, his application for bail is rejected.

However, if the petitioner surrenders and prays for regular bail, the same may be considered by the court below on its own merit without being prejudiced by this order of rejection.

(Sunil Kumar Panwar, J)

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