

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49695 of 2022

Arising Out of PS. Case No.-57 Year-2022 Thana- ARA MUFFSIL District- Bhojpur

RAKESH KUMAR @ VIKASH Son of Anil Kumar Resident of village -
Tarvan, P.S.- Bihta, District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Satish Chandra, Adv.

For the Opposite Party/s : Mr.Dilip Kumar No.1, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 08-12-2022 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.

Petitioner apprehends his arrest in a case registered for
offence punishable u/s 456, 379 subsequently added section 356
of the IPC.

Allegedly, when informant was returning from chandni
market, three unknown persons boarding on scooty snatched his
bag, Oppo mobile, cash and some article of philiph card.

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



place. It is further stated that the date of alleged occurrence is 13.02.2022 but FIR has been lodged by the informant on 21.02.2022 with delay of eight days of the alleged occurrence. The FIR has been instituted against unknown persons and the petitioner is not named in the FIR. Nothing has been recovered from the physical possession of the petitioner. Petitioner's name has been transpired in this case on the basis of the confessional statement of co-accused Sonu Kumar but petitioner has no concern with him. A mobile has been recovered from the possession of co-accused Sonu Kumar. Petitioner has one criminal antecedent.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, since the co-accused Sonu Kumar has disclosed the name of petitioner, I am not inclined to enlarge him on bail. The prayer for grant of anticipatory bail on his behalf is hereby rejected.

This application is accordingly dismissed.

(Anjani Kumar Sharan, J)

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