

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59661 of 2021

Arising Out of PS. Case No.-187 Year-2020 Thana- KRITYANAND NAGAR District-
Purnia

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SOHEL @ SUHAIL Son of Md. Chunna @ Tawrej Resident of Village -
Majara, P.S.- K. Nagar (Mangra), Distt.- Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bipin Kumar, Advocate

For the Opposite Party/s : Mr.Kumar Veerendra Narayan, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 18-01-2022 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 APP
for the State through virtual mode.

Learned Counsel for the petitioner is directed to remove
the defect(s), 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 K. Nagar (Maranga) P.S. case No.187/2020 registered under
Section 392 of the Indian Penal Code, pending in the court of Chief
Judicial Magistrate, Purnea.

Prosecution case, in short, is that the accused persons



including the petitioner snatched the motorcycle, purse and mobile of the informant.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has been made accused due to mistake of fact. It has further been submitted that there is no compliance of Section 100 Cr.P.C. while making the seizure of the motorcycle in question.

On behalf of the State, it is submitted that the petitioner is named in the complaint case/F.I.R. The petitioner has been identified by the informant while committing robbery. The motorcycle in question has been recovered from the back side of the house of the petitioner.

Considering the aforesaid facts and circumstances, I am not inclined to grant anticipatory bail to the petitioner. The same is rejected.

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

(Sudhir Singh, J)

Narendra/-

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