

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62973 of 2021**

Arising Out of PS. Case No.-47 Year-2021 Thana- BISHUNPUR District- Darbhanga

Deepak Kumar Azad @ Pappu S/o Satya Narayan Azad Resident of Semapur,
P.S.- Barari, Distt.- Katihar

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anand Kumar

For the Opposite Party/s : Mr. Bal Mukund Prasad Sinha

**CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER**

2 14-06-2022 Heard learned counsel for the parties.

Learned counsel for the petitioner is permitted to remove defect(s), as pointed out by the office, if any, within a period of four weeks from today.

The petitioner seeks anticipatory bail in connection with Bishanpur P.S. Case No. 47 of 2021, registered for the offences under Sections 395 and 412 of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner is not named in the FIR and the alleged recovery shown by the investigating agency is completely false as the CCTV camera fixed outside of the godown has not been examined and the witnesses of the said seizure have sworn their affidavit denying the said recovery, in fact petitioner is a big businessman and belongs to a reputed family and raiding party neither visited the godown of the petitioner nor seized any



articles from the petitioner's godown and even the investigation has not been made in respect of contact and relation between this petitioner and other co-accused persons, petitioner is suffering from various diseases and one co-accused has been granted regular bail by a co-ordinate bench of this Court.

Learned APP has opposed the prayer of bail.

Heard both the sides and perused the FIR.

Though the FIR of this case was lodged against unknown persons but as per the prosecution 72 cartoons containing Bornvita products out of the total looted cartoons have been recovered from the godown of the petitioner which goes in favour of the prosecution's allegation and the case is under investigation.

Considering above facts, in the opinion of this Court it is not a fit case for grant of anticipatory bail to the petitioner.

Accordingly, his prayer for bail stands rejected.

(Shailendra Singh, J)

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