

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2079 of 2023**

Arising Out of PS. Case No.-799 Year-2022 Thana- LAKHISARAI District- Lakhisarai

DEEPAK RAJ @ DEEPAK VERMA @ JANU S/o Sri Deo Prasad Verma R/o
mohalla- Ward No. 23, Naya Bazar, Durgi Maharaj Gali, P.S.- Lakhisarai,
District- Lakhisarai

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhim Sen Prasad
For the Opposite Party/s : Mr. Sanjay Kumar Singh

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

2 09-02-2023 Heard learned counsel for the petitioner as well as
learned APP for the State.

The petitioner apprehend his arrest in connection with
Lakhisarai (Kabiya) P.S. Case no.799 of 2022, registered for
the offence punishable under sections 457, 380 and 422 of the
Indian Penal Code later on added u/s 411 of the Indian Penal
Code.

As per the FIR, when the informant came to his house,
he found that lock of main gate was damaged. It is alleged
that several house hold items have been stolen by unknown
thieves. The name of the petitioner transpired in the present
case on the basis of statement of co-accused.



It is submitted by learned counsel for the petitioner that petitioner is quite innocent and have committed no offence. He has been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. There is no recovery of incriminating articles from the possession of the petitioner. There is no compliance of section 100 Cr.PC. It is further submitted that during investigation co-accused Prabhakar Kumar has been arrested by the police and he confessed before the police and disclosed name of seven persons including the petitioner. Petitioner has no criminal antecedent, which is also mentioned in para-3 of the bail application.

Learned APP for the State opposed the prayer for anticipatory bail.

Having regard to the facts and circumstances of the case as well as considering the nature of offence, I am not inclined to enlarge the petitioner on bail. The prayer for grant of anticipatory bail on his behalf is hereby rejected.

Accordingly, this application is dismissed.

However, if the petitioner surrenders before the learned court below within a period of six weeks from today and seek



for regular bail, the learned court below shall pass the order,
preferably on the same day, in accordance with law.

(Anjani Kumar Sharan, J)

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