

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2672 of 2023

Arising Out of PS. Case No.-537 Year-2022 Thana- RAMPUR District- Gaya

NAKUL KUMAR S/o Dev Kumar Mistri R/o Durbey, P.S.- Chandauti, Gaya.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Praveen Kumar

For the Opposite Party/s : Mrs. Sangeeta Sharma

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 09-02-2023 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 414, 34 of the Indian Penal Code.

Allegation against the petitioner is that while the informant was on patrolling duty, then he saw a suspicious person on a motorcycle. Upon asking he tried to flee away. However, he was apprehended. On checking number plate, no details about the said motorcycle was found. After investigation the motor cycle was to be registered in the name of some other person and the said motorcycle was found to be blacklisted.

It is submitted by learned counsel for the petitioner that no such occurrence as alleged ever took place.



He has been falsely implicated in this case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. Petitioner is not named in the FIR rather his name surfaced in this case during course of investigation. He also submits that the petitioner has no criminal antecedent as mentioned in para-3 of this application.

Learned APP for the State vehemently opposing the bail petition submitted that the allegation levelled against the petitioner is serious in nature. Hence, he does not deserve anticipatory bail.

Considering the facts and circumstances of case, I am not inclined to enlarge the petitioner on anticipatory bail. The prayer for anticipatory bail of the petitioner is hereby rejected. However, the petitioner is directed to surrender before the learned Court below within six weeks from today and seek regular bail and the learned Court below would pass order on the same day in accordance with law without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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