

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2769 of 2023

Arising Out of PS. Case No.-527 Year-2021 Thana- LAHERIMUHALLA District- Nalanda

RAJKUMAR TIWARI S/O Yogendra Tiwari R/O Village- Kanhauli, P.S-
Darauli, District- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raju Kumar

For the Opposite Party/s : Mr. Md. Anbzarul Haque Sahara

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 04-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered for the offence punishable under Section 379 of the Indian Penal Code pending in the learned court below.

When the informant had gone to ABB S.B.I Ramchandrapur and withdrawn Rs. 1,00,000/- from his account and after updating his passbook, he found that someone has taken out his money by cutting his bag.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He further submits that the petitioner is arrested in Laheri P.S. Case No.70/2022, which has been lodged against unknown for same section and when the petitioner released on bail in the



aforesaid case, the police submitted production warrant for the instant case. He submits that there is no specific overt act against the petitioner. He further submits that petitioner is named in the F.I.R.. He further submits that petitioner have got one criminal antecedent in similar nature as stated in para-3 of the bail application.

Per contra, learned APP for the State vehemently opposing the bail application and submitted that the allegation levelled as the petitioner is serious in nature. Hence, he does not deserve anticipatory bail.

Considering the nature of the offence, I am not inclined to enlarge the petitioner on bail in connection with Laheri P.S. Case No. 527/2021. Accordingly, his prayer for anticipatory bail is hereby rejected.

However, if the petitioner surrenders before the learned Court below within a period of six weeks from today and seeks regular bail, the learned Court below would pass the order, preferably, on the same day, without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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