

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3961 of 2023

Arising Out of PS. Case No.-60 Year-2022 Thana- BIBHUTIPUR District- Samastipur

Ram Babu Kumar @ Ram Babu Mahto S/O Shankar Mahto @ Shankar Singh
R/O Village- Taraspur, P.S.- Dalsingsarai, Distt- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jitendra Narain Sinha

For the Opposite Party/s : Mr. Arvind Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

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

The petitioner apprehends his arrest in Bibhutipur P.S. Case No. 60 of 2022 registered for the offences punishable under Sections 461 and 379 of the Indian Penal Code pending in the Court of learned Sub Divisional Judicial Magistrate, Rosera, District Samastipur.

As per the prosecution case, the informant went to his house after locking the shop but in the morning, the informant came to know that after breaking the lock of the shop, some unknown miscreants committed theft of battery, inverter, mobile phones etc.

Learned counsel for the petitioner submits 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. He submits that the petitioner is not named in the F.I.R., on the basis of confessional statement of the co-accused, namely, Deepak Rai @ Ghanti, petitioner has been made accused in the present case. He submits that nothing has been recovered from the house of the petitioner. Petitioner has got no criminal antecedent as mentioned in para-3 of the bail application.

Learned APP for the State vehemently opposing the bail petition submitted on the basis of confessional statement of co-accused, namely, Deepak Rai @ Ghanti, mobile phone and exide battery has been recovered and he also disclosed that the petitioner is involved in the present case. Hence, he does not deserve privilege of anticipatory bail.

Considering the facts and circumstances of case and the nature of offence, I am not inclined to enlarge the petitioner on anticipatory bail. The prayer for anticipatory bail of the petitioner is hereby rejected.

(Anjani Kumar Sharan, J)

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