

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8576 of 2023

Arising Out of PS. Case No.-208 Year-2021 Thana- BAKHARI District- Begusarai

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SANJAN KUMAR @ SANJAN YADAV @ SANJAY YADAV S/o
Dhanushdhari Yadav R/o Village- Sakhwa, P.S.- Bithan, Distt- Samastipur.
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Krishna Kant Singh, Advocate
For the Opposite Party/s : Mr. Dilip Kumar, No.1, APP

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 18-04-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in Bakhri P.S.
Case No. 208 of 2021 registered for the offences punishable
under Sections 392 and 397 of the Indian Penal Code and
Section 27 of the Arms Act pending in the Court of learned
C.J.M., Begusarai.

As per prosecution case, three persons on one
white Apache motorcycle dashed informant's motorcycle by
the time he could control himself the three persons took out
arms and snatched his bag in which Rs. 3, 74, 620/- was kept.

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., the name of the petitioner came in this case on the basis of confessional statement of one co-accused. He submits that the brother of the petitioner had lodged a case against co-accused, Raju Kumar, therefore, he disclosed the name 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 that the process under Section 83 of the Cr.P.C. has been issued against the petitioner. Hence, he does not deserve privilege of anticipatory bail.

Considering the facts and circumstances of case and the nature of the 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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