

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11807 of 2023

Arising Out of PS. Case No.-388 Year-2020 Thana- AURANGABAD TOWN District-
Aurangabad

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NIRAJ KUMAR S/O SANTAN SINGH R/v- Shankarpur, P.S.- Narari Kala
Khurd, District- Aurangabad, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ashok Kumar, Adv.

For the Opposite Party/s : Mr.Pradeep Narain Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 18-05-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Petitioner apprehends his arrest in connection with
Aurangabad (Town) P.S. Case No.388/2020, registered for the
offence punishable u/s 379, 411 of the IPC.

Allegedly, the tractor and trailer of the informant was
stolen away by unknown thieves which was parked near his
house.

It is submitted by learned counsel for the petitioner that
petitioner is quite innocent and has committed no offence. He
has been falsely implicated in this case and has two criminal
antecedent of similar nature of offence. Petitioner has been
made accused in this case on the basis of confessional statement



of co-accused Vimlesh Kumar, from whose possession the stolen tractor was recovered. No incriminating article has been recovered from the conscious physical possession of the petitioner. The other co-accused namely Ramendra Kumar @ Tumman has been granted bail by a co-ordinate Bench of this Court vide order dated 11.04.2022 passed in Cr. Misc. No.40945 of 2021.

Learned APP for the State opposed the prayer for bail by submitting that similarly situated co-accused was enlarged on anticipatory bail and he had no criminal antecedent but this petitioner has antecedent of similar nature of offence.

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

This application is accordingly dismissed.

(Anjani Kumar Sharan, J)

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