

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11717 of 2023**

Arising Out of PS. Case No.-513 Year-2020 Thana- UDWANTNAGAR District- Bhojpur

ANIL KUMAR Son of Ranglal Singh Resident of Village- Ashni, P.S.-
Udwant Nagar, District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dharmesh Kumar Shrivastava

For the Opposite Party/s : Mr. Prem Kumar Jha

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

2 18-05-2023 Heard the parties.

The petitioner apprehend his arrest in connection with Udwant Nagar P.S. Case No.513 of 2020, registered for the offence punishable under Section 394 of the Indian Penal Code.

Allegedly, it is a case of snatching of Rs.25,630/- and other articles from the informant. It is said that out of looted amount Rs.3000/- has been recovered from the co-accused Suraj Deo Singh, who disclosed the name of the petitioner.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and have committed no offence. He has been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. 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 FIR, his name transpired in the present case on the basis of confessional



statement of apprehended co-accused Suraj Deo Singh. He further submits that similarly situated co-accused has been granted bail vide order dated 09.12.2022 passed in Cr. Misc. No.43327 of 2022. Petitioner has one criminal antecedent.

Learned APP for the State opposed the prayer for anticipatory bail. He further submits that the name of the petitioner has transpired in the present case on the basis of confessional statement of co-accused Suraj Deo Singh. In this regard the ratio laid down by the Apex Court in the case of **Indresh Kumar vs. State of Uttar Pradesh in Cr. APP. No.938 of 2022** may also be taken into consideration in which it has been observed that the statements made under Section 161 of Cr.PC. are relevant in considering the *prima facie* case against an accused in an application for grant of bail in cases of grave offence.

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

Accordingly, this application is dismissed.

(Anjani Kumar Sharan, J)

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