

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15177 of 2023

Arising Out of PS. Case No.-16 Year-2015 Thana- MAHKAR District- Gaya

SANJAY KUMAR @ SANJAY SAW S/O LALA SAW R/v- Baraini, P.S.-
Mahkar, District- Gaya

... .. Petitioner

Versus

The State Of Bihar Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Vinod Kumar

For the Opposite Party/s : Mr. Uday Chand Prasad

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 16-05-2023 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 Sections 406, 420, 424, 353/34 of the Indian Penal Code pending in the learned court below.

As per the prosecution case, there is allegation against the petitioner that he along with other co-accused persons opposed the informant in bringing the truck which was met with an accident. Thereafter, the truck was handed over on Jimmenama to co-accused Sudhir Kumar Yadav but the truck was handed over to the truck owner illegally and they also made obstacle in discharging of the Government duty.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this



case. He further submits that the said Jimmanama was executed by the accused Sudhir Kumar and the petitioner has not knowledge about the said Jimmanama. He submits that the petitioner has never intercepted in public work. He further submits that petitioner has got no criminal antecedent as stated in para-3 of the bail application.

Per contra, learned APP for the State vehemently opposing the bail application and submits that the this case belongs in the year 2015 and petitioner is named in the FIR but during this period the petitioner has not filed any bail application. Hence, he does not deserve anticipatory bail.

Considering the facts and circumstances of the case and the fact that there is delay in filing of the present anticipatory bail application, I am not inclined to enlarge the petitioner on bail in connection with Mahakar P.S. Case No. 16/2015. Accordingly, his prayer for anticipatory bail is hereby rejected.

(Anjani Kumar Sharan, J)

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