

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19161 of 2023

Arising Out of PS. Case No.-187 Year-2019 Thana- INDUSTRIAL AREA District- Vaishali

NITISH KUMAR SON OF MANMOHAN RAI RESIDENT OF VILLAGE
-HILALPUR, PS INDUSTRIAL AREA ,DISTRICT VAISHALI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Bela Singh

For the Opposite Party/s : Mr. Uma Shankar Prasad Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 24-06-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in Industrial Area P.S. Case No. 187 of 2019 registered for the offences punishable under Section 392 of the Indian Penal Code pending in the Court of learned Chief Judicial Magistrate, Vaishali at Hajipur.

Three unknown miscreants are said to have snatched the motorcycle, purse, two mobile, bag etc. of the informant on the point of pistol.

It is submitted by learned counsel for the petitioner 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. Petitioner is not named in the F.I.R. He has been falsely implicated in this case on the basis of confessional statement of co-accused, Rajiv Kumar @ Ranjan. Petitioner has two criminal antecedents.

Learned APP for the State vehemently opposing the bail petition submitted that considering the nature of the offence and the criminal antecedent, the petitioner does not deserve anticipatory bail.

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

However, if the petitioner surrenders before the learned Court below within six weeks from today and seek regular bail, the learned Court below would pass order in accordance with law without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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