

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25434 of 2023

Arising Out of PS. Case No.-296 Year-2022 Thana- PALASI District- Araria

VIKASH SAH @ VIKASH KUMAR SAH SON OF MUNNA SAH @
SATYANARAYAN SAH R/O VILLAGE- BHOJPUR, BALUA JAGIR, P.S.-
TERHAGACHH, DISTRICT- KISHANGANJ

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Prawesh Kumar, Adv.

For the Opposite Party/s : Mr.Nand Kishore Prasad, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 21-07-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. Petitioner apprehends his arrest in connection with
Palasi P.S. Case No. 296 of 2022, registered for the offence
punishable u/s 406, 420/34 of the IPC, pending in the court of
learned Chief Judicial Magistrate, Araria.

3. Allegedly, having conspiracy, petitioner, along with
other accused persons, is said to have unloaded the entire Kirana
article, loaded in pickup van, near Dehti Middle School.

4. It is submitted by learned counsel for the petitioner
that petitioner is quite innocent and has committed no offence.
No such occurrence as alleged ever took place. He has been
falsely implicated in this case due to ulterior motive. The



allegation as alleged in FIR against the petitioner is totally false and baseless. No case u/s 406 and 420 of the IPC is made out against the petitioner as the petitioner has not been directly or specifically alleged for committing any overt act. The name of the petitioner has been disclosed by co-accused Sonu Kumar, driver of the vehicle. There is no direct incriminating material against the petitioner to show his involvement with the alleged occurrence. Petitioner has eight criminal antecedents as mentioned in para-3 of this application.

5. Learned APP for the State opposed the prayer for bail.

6. Considering nature of the offence and criminal antecedents of the petitioner, I am not inclined to enlarge the petitioner on bail. The prayer for bail of the petitioner is hereby rejected.

(Anjani Kumar Sharan, J)

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