

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25048 of 2023

Arising Out of PS. Case No.-195 Year-2014 Thana- UCHKAGAON District- Gopalganj

HARISHCHANDRA RAM @ HARISHCHANDRA @ SANJAY RAM Son
of Gaurishankar Ram @ Gaurishankar R/V- Jagtauli, PS- Bhore, Dist-
Gopalganj

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Vikash Kumar Shukla

For the Opposite Party/s : Mrs. Gulnar Begum

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 11-07-2023 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 395 and 397 of the Indian Penal Code pending in the learned court below.

As per the prosecution case, when the informant was returning after meeting his maternal uncle, some persons on 3 motorcycles came and demanded key of informant's bike on gun point. Meanwhile, another person hit on the nose of the informant and snatched the motorcycle keys by dashing the motorcycle on the ground which resulted into the oozing of blood from the nose of the informant. It is further alleged that they took Rs.10,000/- from the pocket of the informant and also



snatched one Micromax Mobile.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He further submits that petitioner is not named in the FIR. He submits that one co-accused was apprehended by the police and in his confessional statement, the name of the petitioner was transpired in this case. He further submits that no incriminating article has been recovered from the conscious possession of the petitioner. He submits that petitioner has got one criminal antecedent as stated in para-3 of the bail application.

Per contra, learned APP for the State vehemently opposing the bail application submits that petitioner is also involved in the present case. He relying upon the judgment of the Hon'ble Apex Court passed in the case of "*Indresh Kumar V/s. The State of U.P. & Anr. (Criminal Appeal No.938/2022)*", he submits that the petitioner does not deserve anticipatory bail.

Considering the nature of the offence, I am not inclined to enlarge the petitioner on bail in connection with Uchakagaon P.S. Case No. 195/2014. Accordingly, his prayer for anticipatory bail is hereby rejected.

However, if the petitioner surrenders before the learned Court below within a period of six weeks from today



and seeks regular bail, the learned Court below would pass the order, preferably, on the same day, without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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