

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40336 of 2023

Arising Out of PS. Case No.-680 Year-2022 Thana- DAUDNAGAR District- Aurangabad

ARUN PANDEY Son of Nagendra Pandey Resident of village - Danwar, P.S.-
Kachhawan, District - Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sheo Jee Mishra

For the Opposite Party/s : Mr.Sanjay Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 02-08-2023 1. Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Daudnagar Police Station Case No. 680 of 2022, dated 04.12.2022, disclosing offences punishable under Section 395 of the Indian Penal Code.
3. The prosecution case, as per the First Information Report, is that on 04.12.2022, at about 08:40 PM, one Ajay Kumar, who is the nozzleman in the petrol pump of the informant, informed him that five unknown persons came on two motorcycles, on the point of pistol, looted the cash box of the petrol pump, containing Rs. 1,00,456/-, important documents, including the laminated aadhaar card of the informant and keys of the small tanker. The



miscreants also took away the mobile and locket of Rohit Kumar, Manager of the petrol pump. It has further been stated in the First Information Report that the entire occurrence has been recorded on the CCTV.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case due to village politics. He further submits that the petitioner is not named in the First Information Report and his name has transpired on the basis of the confessional statement of co-accused Munna Yadav, who has disclosed that the petitioner had actively participated in the alleged occurrence.
5. I have heard learned counsel for the parties and have perused the material available on record, including the impugned order.
6. From perusal of the impugned order, it transpires that the petitioner was identified in the CCTV footage (paragraph 46 of the case diary) and from the CDR, it is apparent that the petitioner was in contact with the accused persons before the alleged occurrence. Further co-accused Munna Kumar, in his confessional statement, has disclosed the active involvement of the petitioner in the alleged



offence.

7. Considering the above, I do not find any reason to differ with the findings arrived at by the learned Additional Sessions Judge-X, Aurangabad, inasmuch as the case is under investigation, wherein the custodial interrogation of the petitioner may be necessary based upon the material collected by the police during course of investigation. As such, I am not inclined to grant anticipatory bail to the petitioner.
8. This application is, accordingly, dismissed.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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