

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29252 of 2023

Arising Out of PS. Case No.-40 Year-2023 Thana- CHIRAIYA District- East Champaran

GUDDU KUMAR Son of Vinod Sah Resident of Village - Gayghat Ghatuli,
P.S. - Harsiddhi, Distt. - East Champaran

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shambhu Narayan Singh, Adv.

For the Opposite Party/s : Mr.Shyameshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 17-07-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. Petitioner apprehends his arrest in connection with
Chiraiya (Shikarganj) P.S. Case No.40/2023, registered for the
offence punishable u/s 413, 414 of the IPC.

3. As per the prosecution case, two vehicles were seized
by the police from which 25 quintal and 10 quintal of stolen
Aluminum wire was recovered. It is alleged that petitioner is the
owner-cum-driver of one of the Pick up vehicle from which 25
quintal of aluminum wire has been recovered.

4. It is submitted by learned counsel for the petitioner that
petitioner is quite innocent and has committed no offence. He
has been falsely implicated in this case. No such occurrence, in
the manner as alleged, has ever taken place. The allegation



leveled against the petitioner is not specific rather general and omnibus in nature. No incriminating article has been recovered from the conscious physical possession of the petitioner. Though the petitioner was owner-cum-driver of the said vehicle but he went to ease after parking his vehicle but in the meantime, the vehicle was seized on the allegation that it was loaded with stolen Aluminum wire. Petitioner has one criminal antecedent.

5. Learned APP for the State opposed the prayer for bail by submitting that petitioner is the owner-cum-driver of the vehicle containing stolen Aluminum wires and is involved in cutting and stealing of wire.

6. Having regard to the facts and circumstances of the case and considering the nature of allegation, I am not inclined to enlarge the petitioner on bail. The prayer for grant of anticipatory bail on his behalf is hereby rejected.

7. This application is accordingly dismissed.

(Anjani Kumar Sharan, J)

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