

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.32292 of 2022

Arising Out of PS. Case No.-164 Year-2019 Thana- BAIKUNTHPUR District- Gopalganj

Subodh Kumar Son Of Satendra Ray R/O Village- Pakhan, P.S.- Baikunthpur,
District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Subhash Kumar

For the Opposite Party/s : Mr.Binod Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN

ORAL ORDER

4 14-02-2023 Heard learned counsel for the petitioner and learned

A.P.P. for the State.

Learned counsel for the petitioner undertakes to remove the defect(s), as pointed out by the office, within four weeks.

The petitioner apprehends his arrest in Baikunthpur P.S. Case No. 164 of 2019 registered for the offences punishable under Section 392 of the Indian Penal Code pending in the Court of learned Judicial Magistrate 1st Class, Gopalganj.

Prosecution case, in short, is that two unknown persons looted Rs. 1.17 lacs and snatched P.O.S. Machine, Bluetooth and loan registers of some firms kept in the bag of the informant.

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. He also submits that the during the investigation, one person was apprehended, who disclosed the name of the petitioner to the police. He further submits the petitioner has got one criminal antecedent i.e. Baikunthpur P.S. Case No. 211 of 2019 for the offence punishable under Section 379 of the Indian Penal Code.

Learned APP for the State vehemently opposing the bail petition submitted that there is ample evidence against the petitioner. Hence, the petitioner does not deserve anticipatory bail.

Considering the facts and circumstances of case, from perusal of the case diary there is ample evidence against the petitioner and the nature of the offence, 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 and the learned Court below would pass order on the same day in accordance with law without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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