

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37685 of 2023

Arising Out of PS. Case No.-11 Year-2023 Thana- MOKAMAH District- Patna

HIMANSHU KUMAR @ MIKKI KUMAR Son of Sujit Singh @ Sujit Kumar Resident of village - Shakarwar Tola Ward no. 15, P.S. - Mokama, Distt. - Patna. Petitioner/s

Versus

The State of Bihar. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashank Shekhar

For the Opposite Party/s : Mr. Bharat Bhushan

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 05-10-2023 Heard learned counsel for the petitioner and learned A.P.P. for the State

2. The petitioner apprehends his arrest in Mokama P.S. Case No. 11 of 2023 registered for the offences punishable under Section 461/379 of the Indian Penal Code.

3. The petitioner is said to have committed robbery of Rs.5,15,000/- by breaking the grill of the hop of the informant and his name transpired in this case on the basis of the CCTV footage.

4. 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. There is no eye witness of the alleged occurrence. It is further submitted that the house of the petitioner is situated 100 to 200



meters from the shop of the informant and petitioner was just going towards his house through a lane where shop of the informant is situated. Petitioner has five criminal antecedents, as three mentioned in this application and two criminal antecedents is mentioned in the supplementary affidavit.

5. Learned APP for the State vehemently opposing the bail petition submitted that considering the nature of the allegation, the petitioner does not deserve anticipatory bail.

6. Considering the facts and circumstances of case and the nature of the allegation, 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, the learned Court below would pass order on the same day without being prejudiced by this order.

(Anjani Kumar Sharan, J)

Trivedi/-

U		T	
---	--	---	--

