

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37275 of 2023

Arising Out of PS. Case No.-640 Year-2022 Thana- SONEPUR District- Saran

RAJAN RAI @ RAJAN KUMAR Son of Brahmnnath Rai @ Botal Resident
of village - Sabbalpur, P.S. - Sonapur, Distt. - Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Niranjan Parihar

For the Opposite Party/s : Mr. Satyendra Prasad

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 31-07-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 392 and 411 of the Indian Penal Code pending in the learned court below.

3. As per the prosecution case, two persons on a motorcycle stopped the informant and looted his mobile on the point of pistol.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He further submits that the name of the petitioner transpired on the basis of the confessional statement of the co-accused. He submits that other co-accused, namely, Bittu Kumar



has already been granted regular bail by the Court below itself. He further submits that petitioner has got no criminal antecedent as stated in para-3 of the bail application.

5. Per contra, learned APP for the State vehemently opposing the bail application and submits that the the said stolen mobile was given to Bittu Kumar by the petitioner. Hence, he does not deserve anticipatory bail.

6. Considering the nature of the offence, I am not inclined to enlarge the petitioner on bail in connection with Sonapur P.S. Case No. 640/2022. Accordingly, his prayer for anticipatory bail is hereby rejected.

7. 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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