

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38540 of 2022

Arising Out of PS. Case No.-713 Year-2021 Thana- SUPAUL District- Supaul

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HIMANSHU KUMAR Son of Late Avadhesh Prasad Singh Resident of
Village - Arraha, Ward No.- 4, P.S.- Gheladh, District - Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Prabhakar Nath Rai, Adv.

For the Opposite Party/s : Mr.Binod Kumar, APP.

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 17-02-2023 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 a period of
four weeks.

The petitioner apprehends his arrest in a case registered
for the offences punishable under Section 394 of the Indian
Penal Code.

Allegedly, three miscreants covering their faces and
having deadly weapons in their hands entered the Flipkart office
situated at Gaurabagh. At the point of pistol, they committed
robbery and took away 29 mobiles of different company
including total cash of 11,93,268/-.

It is submitted by learned counsel for the petitioner that



petitioner is quite innocent and has committed no offence. No such occurrence as alleged ever took place. He has been falsely implicated in this case due to dirty politics. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. It is further submitted that nothing has been recovered from the possession of the petitioner or from his house. His name has been transpired in this case on the basis of the confessional statement of the apprehended co-accused from whom the stolen mobile was recovered. Petitioner has one criminal antecedent as mentioned in para-3 of this application.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case and considering the nature of the offence as well as material available in the case diary, I am not inclined to enlarge him on anticipatory bail.

The prayer for anticipatory bail of the petitioner is hereby rejected.

(Anjani Kumar Sharan, J)

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