

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41688 of 2023

Arising Out of PS. Case No.-57 Year-2023 Thana- AGAMKUAN District- Patna

=====

Dheeraj Kumar S/O Late Jagat Prasad Chaurasia Resident Of C/O H. L. Paul,
H/02, Dadiji Lane, Besides V.I.P. Showroom, Ps. Sri Krishna Puri, Dist. Patna
... .. Petitioner/s

Versus

The State Of Bihar Bihar

... .. Opposite Party/s

=====

with

CRIMINAL MISCELLANEOUS No. 42313 of 2023

Arising Out of PS. Case No.-57 Year-2023 Thana- AGAMKUAN District- Patna

=====

PAWAN KUMAR @ PAWAN JAISAWAL son of Vinod Prasad @ Vinod
Prasad Jaisawal R/o- Choti Nagla Patna City Ps-Malsalami Dist- patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

(In CRIMINAL MISCELLANEOUS No. 41688 of 2023)

For the Petitioner/s : Mr. Bijay Kumar Pathak

For the Opposite Party/s : Mr. Bharat Lal

(In CRIMINAL MISCELLANEOUS No. 42313 of 2023)

For the Petitioner/s : Mr. Bijay Kumar Pathak

For the Opposite Party/s : Mr. Bharat Lal

=====

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 04-08-2023 As both these applications arises from the same

P.S. Case No., with consent of parties, they have been heard

together and disposed of by this common order.

2. Heard learned counsel for the petitioners and

learned APP for the State.

3. The petitioners are apprehending their arrest in a

case registered for the offences punishable under Sections 379



and 461 of the Indian Penal Code pending in the learned court below.

4. As per the prosecution case, petitioners are involved in the committing theft of clothes worth of Rs. 50 lakhs from the go-down of the informant.

5. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. He further submits that petitioners are made accused on the basis of the confessional statement of the co-accused. He submits that there is no incriminating article has been recovered from the conscious possession of the petitioners. He further submits that petitioners are not named in the F.I.R. He further submits that petitioners have got no criminal antecedent as stated in para-3 of the bail application.

6. Per contra, learned APP for the State vehemently opposing the bail application and submits that the petitioners are also involved in the present. Hence, they do not deserve anticipatory bail.

7. Considering the nature of the offence, I am not inclined to enlarge the petitioners on bail in connection with Agam Kuan P.S. Case No. 57 of 2023. Accordingly, their prayer for anticipatory bail is hereby rejected.



8. However, if the petitioners surrender before the learned Court below within a period of six weeks from today and seek 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)

ajay/-

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

