

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42662 of 2023

Arising Out of PS. Case No.-30 Year-2023 Thana- PASRAHA District- Khagaria

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Naveen Kumar @ Rabin Kumar Son Of Umesh Yadav Resident Of Village -
Bhagwati Nagar, Ward No. 3 (1) Bharat Khand, P.S. - Parbatta (Bharat Khand
O.P.), Distt. - Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhim Kumar Yadav

For the Opposite Party/s : Mr. Harendra Prasad

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 10-08-2023 Heard learned counsel for the petitioner and learned

A.P.P. for the State.

2. The petitioner apprehends his arrest in Pasraha P.S.

Case No. 30 of 2023 registered for the offences punishable
under Sections 356, 379, 411/34 of the Indian Penal Code and
Sections 25(1-b)a/ 26/ 35 of the Arms Act, pending in the Court
of learned J.M., 1st Class, Khagaria.

3. As per the prosecution case, the petitioner along
with other co-accused person looted informant's Realme
Mobile and golden chain from his neck while he was talking on
his mobile.

4. Learned counsel for the petitioner submits that
the petitioner is innocent and has falsely been implicated in this
case. The allegation levelled against the petitioner is not
specific rather general and omnibus in nature. He submits that
nothing has been recovered from the possession of the



petitioner and on the basis of production, seizure list has been prepared against co-accused Bittu Kumar, so far the petitioner is concerned, he was not apprehended on the spot, apprehended co-accused disclosed the name of the petitioner. The petitioner has no criminal antecedent as mentioned in para-3 of the bail application.

5. Learned APP for the State opposes prayer for anticipatory bail and submits that the petitioner is also involved in the present case. Hence, he does not deserve privilege of anticipatory bail.

6. Considering the facts and circumstances of case 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.

7. 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 in accordance with law without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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