

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47312 of 2022

Arising Out of PS. Case No.-829 Year-2021 Thana- GARKHA District- Saran

AKHILESH KUMAR SINGH @ AKHILESH SINGH Son of Om Prakash
Singh Resident of village- Sargatti, P.S- Garkha, Dist- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Tiwary, Adv.

For the Opposite Party/s : Mr. Binod Kumar No.3, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

5 20-03-2023 Heard the parties.

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 395 of the Indian Penal Code.

Allegedly, six persons entered into the house of the informant having gun in their hand and demanded key of almirah and started assaulting his wife with fist and when they could not get key of the almirah, they broke the lock of the same with Khanti and took away Rs. 4,50,000/- and snatched mobile phone of his wife. They closed all the family members in the room and opened one round firing.

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. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. The informant has earlier filed Garkha P.S. Case No. 254 of 2016 against the petitioner and others in which the victim in her statement u/s 164 Cr.P.C. had stated that the petitioner is innocent. Due to the previous enmity, the informant has raised suspicion against the petitioner in this case. He further submits that now the case has been compromised. Petitioner has two criminal antecedents as mentioned in para-3 of this application.

Learned APP for the State opposed the prayer for bail.

Considering the facts and circumstances of case as well as the nature of the offence, I am not inclined to enlarge the petitioner on bail. The prayer for bail of the petitioner is hereby rejected. However, if the petitioner surrenders before the learned Court below within six weeks from today and seeks regular bail, the learned Court below shall pass order in accordance with law without being prejudiced by this order on the very date of surrender.

(Anjani Kumar Sharan, J)

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