

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.46022 of 2023

Arising Out of PS. Case No.-9 Year-2020 Thana- TISIAUTA District- Vaishali

SUNNY KUMAR S/o- RAMLALIT SAHANI Village- Pranpur Ps- Jandaha
Dist- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Bela Singh

For the Opposite Party/s : Mr.Parmanand Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 06-09-2023 1. Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Tisiauta Police Station Case No. 09 of 2020, dated 23.01.2020, disclosing offences punishable under Sections 379/461 of the Indian Penal Code.
3. The prosecution case, as per the First Information Report, is that on 22.01.2020, in the evening, some unknown thieves committed theft in the jewellery shop of the informant by breaking open the lock and took away gold and silver jewellery and cash of Rs. 19,000/-.
4. Learned Counsel for the petitioner submits that the petitioner has not committed any offence in the manner



alleged and he has falsely been implicated in this case on the basis of confessional statement of co-accused Dasrath Manjhi. She further submits that the petitioner is having inimical terms with the local chowkidar against whom the petitioner has filed a complaint case, in which cognizance has also been taken against him and the petitioner has been implicated at the behest of the said local chowkidar.

5. I have heard learned counsel for the parties and have perused the material available on record, including the impugned order.
6. From perusal of the materials available on record, it transpires that the arrested co-accused has disclosed the name of the petitioner and the petitioner has five criminal antecedents of similar nature of offence.
7. Considering the above, I do not find any reason to differ with the findings arrived at by the learned Sessions Judge, Vaishali, at Hajipur, inasmuch as the case is under investigation, wherein the custodial interrogation of the petitioner may be necessary based upon the material collected by the police during course of investigation. As such, I am not inclined to grant anticipatory bail to the petitioner.



8. This application is, accordingly, dismissed.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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