

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48936 of 2023**

Arising Out of PS. Case No.-76 Year-2021 Thana- SAHIYARA District- Sitamarhi

Santosh Kumar S/O Udit Mahto R/O Village- Jaynagar, P.S- Sonbarsa, Distt.-
Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Mishra, Advocate

For the Opposite Party/s : Mr. Damodar Prasad Tiwary, APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

3 03-10-2023 Heard Mr. Ranjeet Kumar Mishra, learned counsel for
the petitioner as well as Mr. Damodar Prasad Tiwary, learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with Sahiyara P.S. Case No.76 of 2021, F.I.R. dated
11.06.2021 registered for the offence punishable under Sections
392 of the Indian Penal Code.

3. The allegation against the petitioner is to commit
robbery and while committing so, taken away Rs.3,50,000/-
(Rupees Three Lakh Fifty Thousand) in cash, belongs to
informant.

4. Learned counsel for the petitioner submits that
petitioner has clean antecedent. He has falsely been implicated
in the present case and petitioner has not named in the FIR and
name has been transpired in this case on the basis of the
confessional statement of co-accused person, namely, Priyanka



Kumari. Further submits except confessional statement of co-accused, there is nothing on record to demonstrate the complicity of the present petitioner with the alleged occurrence.

5. Learned APP for the State, on the other hand on the basis of the material available in the case diary has vehemently opposed the prayer for anticipatory bail of the petitioner and submits that the co-accused has confessed his guilt in the present occurrence and she has fairly stated that the petitioner has also received the amount which was looted in the present occurrence and Rs.1,25,000/- has been recovered from the house of the co-accused person, namely, Priyanka Kumari.

6. Considering the aforesaid facts, I am not inclined to enlarge the petitioner on anticipatory bail in connection with Sahiyara P.S. Case No.76 of 2021 pending in the court of learned Chief Judicial Magistrate, Sitamarhi.

7. Prayer is refused.

(Rajesh Kumar Verma, J)

Prakash Narayan

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