

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50894 of 2022

Arising Out of PS. Case No.-525 Year-2018 Thana- SAKRA District- Muzaffarpur

=====

KANHAI THAKUR @ KANHAIYA THAKUR S/o Prem Kishor Thakur @
Premshankar Thakur Resident of Village- Harishankar Maniyari, P.S.-
Maniyari, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Chandra Shekhar Anand, Advocate

For the Opposite Party/s : Mr.Atul Chandra, APP

=====

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 11-01-2023 Heard learned counsel for the petitioner and the

learned APP for the State.

The petitioner apprehends his arrest in connection
with Sakra P.S. Case No.525 of 2018 instituted under Sections
392 of the Indian Penal Code.

As per the prosecution story, the informant who is
serving in Amway Company, while moving on his scooty
alleged that three unknown persons surrounded him and took
away Rs.20,000/- as also the documents relating to Amway.
Accordingly, the FIR was lodged.

Learned counsel for the petitioner submits that FIR
was against unknown and subsequently charge-sheet were
submitted against three persons, while during the investigation
his name cropped up necessitating the present petition.



Learned APP on the other hand pointed out that as per para-3 he has criminal antecedent of the same nature and further while rejecting the prayer for anticipatory bail, the learned Session Court gave observation that if he surrenders within four weeks, the concerned court shall take into account the factors that has been brought forward by the petitioner's side. Having failed to do so, he is not eligible for the relief sought for.

Taking into account the aforesaid facts as also that he has criminal antecedent of the same nature and the investigation is on against him, the matter being of 2018, this Court is not inclined to grant him relief and the petition stands rejected.

If however, the petitioner surrenders within four weeks from today and is able to provide all the documents before the concerned court, the same shall be taken into consideration and his bail petition be consider and disposed of at an earliest.

(Rajiv Roy, J)

Prakash Narayan /-

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

