

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62245 of 2023

Arising Out of PS. Case No.-228 Year-2023 Thana- WARISNAGAR District- Samastipur

=====

AMIT KUMAR @ CHHOTU S/O LATE DEV KUMAR MAHTO R/O
VILLAGE- CHARO, WARD NO.-11, P.S- WARISNAGAR, DISTT.-
SAMASTIPUR. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Mahendra Pratap, Advocate

For the Opposite Party/s : Mr. Dilip Kumar No.1, APP

=====

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

- 3 06-11-2023 Heard Mr. Mahendra Pratap, learned counsel for the petitioner and Mr. Dilip Kumar No.1, learned A.P.P. for the State
2. The petitioner apprehends his arrest in Warisnagar P.S. Case No. 228 of 2023 registered for the offences punishable under Sections 414, 420, 467 & 478 of the Indian Penal Code.
3. Petitioner in association of two other co-accused is said to have stolen a bolero pick-up van which was found parked behind his house.
4. It is submitted by learned counsel for the petitioner that 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. It is further submitted that the police team conducted a raid and recovered the said vehicle on 28.06.2023 but the seizure list was prepared after delay of two days and F.I.R. was lodged on 01.07.2023 without assigning any plausible reason for the said



delay. Petitioner has one criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State vehemently opposing the bail petition submitted that after seizing the aforesaid vehicle, it was kept in the police station campus and after verification it was found that the said vehicle was theft one, the seizure list was prepared and F.I.R. was lodged. He further submitted that petitioner is involved in stealing the said vehicle, hence he does not deserve anticipatory bail.

6. Considering the facts and circumstances of case, I am not inclined to enlarge the petitioner on anticipatory bail. The prayer for anticipatory bail of the petitioner is hereby rejected. 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 in accordance with law without being prejudiced by this order.

7. In compliance of the order dated 18.10.2023, the S.H.O. of Warisnagar Police Station and the Investigating Officer of the case are present before the Court and after hearing them, their personal appearance is dispensed with.

(Anjani Kumar Sharan, J)

Trivedi/-

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

