

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66122 of 2022

Arising Out of PS. Case No.-596 Year-2021 Thana- SAUR BAZAR District- Saharsa

INDRADEV PASWAN @ AMIT KUMAR RAJ @ INARDEV PASWAN Son
of Late Mahendra Paswan R/v- Samda, P.S.- Sour Bazar, Dist- Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binod Kumar Sinha

For the Opposite Party/s : Mr. Yogendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 27-03-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered for the offence punishable under Sections 379 and 411 of the Indian Penal Code pending in the learned court below.

Petitioner along with other co-accused person stolen a bag of the informant containing 39 items worth of Rs. 74487.00.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He further submits that the petitioner is made accused in the present case on the basis of the confessional statement of the co-accused. He submits that from impugned order it appears that one Mobile and one Motorcycle was recovered from the house



of the petitioner, the mobile belongs to the petitioner and Motorcycle is not looted property. He further submits that petitioner has got no criminal antecedent as stated in para-3 of the bail application.

Per contra, learned APP for the State vehemently opposing the bail application and submitted that the allegation levelled as the petitioner is serious in nature. Hence, he does not deserve anticipatory bail.

Considering the facts and circumstances of the case and the fact that the recovery of article is made from the conscious possession of the petitioner which is also clear from the impugned order itself, I am not inclined to enlarge the petitioner on bail in connection with Sour Bazar P.S. Case No. 596/2021. Accordingly, his prayer for anticipatory bail is hereby rejected.

(Anjani Kumar Sharan, J)

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