

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70736 of 2022

Arising Out of PS. Case No.-429 Year-2022 Thana- RAJGIR District- Nalanda

ROHIT KUMAR @ GOLU KUMAR S/O Muni Lal @ Manoj Singh R/O
Village- Simari, P.S- Warisaliganj, District- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raj Kumar, Adv.

For the Opposite Party/s : Mr.Yogendra Kumar, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 31-01-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 419, 420, 467, 468, 471, 379, 414/34 of the Indian Penal Code.

Allegedly, petitioner along with other persons used to withdraw money after replacing ATM. On secret information, informant and other police personnel reached there. After seeing the police party, they started fleeing away from H.D.F.C. ATM, out of them two boys were apprehended by the police.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. 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. The name of the petitioner has been transpired in this case on the basis of confessional statement of apprehended co-accused. Neither any illegal article or ATM cards have been recovered from the possession of the petitioner nor he has been arrested at the alleged place of occurrence. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

Learned APP for the State opposed the prayer for bail.

Considering the facts and circumstances of case as well as the nature of the offence, I am not inclined to enlarge the petitioner on bail. The prayer for bail of the petitioner is hereby rejected. However, if the petitioner surrenders before the learned Court below within six weeks from today and seeks regular bail, the learned Court below shall pass order in accordance with law without being prejudiced by this order on the very date of surrender considering the fact that he is a student and he has been made accused in this case on the basis of the confessional statement of the apprehended co-accused.

(Anjani Kumar Sharan, J)

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