

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2205 of 2023

Arising Out of PS. Case No.-225 Year-2021 Thana- BELA District- Sitamarhi

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DEVENDRA THAKUR S/O LATE SURYADEO THAKUR Resident of
village- Pakariya, P.S.- Sonebarsa, District- Sitamarhi.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Pushpendra Kumar Singh

For the Opposite Party/s : Mr. Md. Ataur Rahman

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 04-05-2023 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 395 and 397 of the Indian Penal Code, Section 27 of the Arms Act and Section 3/4 of the Explosive Substance Act pending in the learned court below.

As per the prosecution case, 20 unknown miscreants armed with deadly weapons entered inside the house of the informant breaking the door and looted cash of Rs. 3,00,000/- and various ornaments and mobiles as mentioned in the FIR. It is further stated that 12 miscreants were standing outside surrounding the house. During the time of fleeing, one miscreant was apprehended with the help of Chowkidar and other fled away with firing.

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 not named in the FIR during the investigation the petitioner was made accused in the present case. He submits that there is no recovery is made from the conscious possession or the house of the petitioner. He further submits that the in confessional statement of co-accused has got no evidentiary value in the eyes of law since it was obtained by the police under coercion and threat. He further submits that petitioner has got four 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 criminal antecedents of the petitioner and the nature of the offence, I am not inclined to enlarge the petitioner on bail in connection with Bela P.S. Case No. 225/2021. Accordingly, his prayer for anticipatory bail is hereby rejected.

(Anjani Kumar Sharan, J)

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