

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76997 of 2023

Arising Out of PS. Case No.-58 Year-2022 Thana- ROH District- Nawada

AKSHAY KUMAR S/O RAM KISHOR PRASAD R/O
VILLAGE/MOHALLA- LINEPAR, MIRZAPUR, P.S- NAWADA, DISTT.-
NAWADA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Birendra Kumar

For the Opposite Party/s : Mr. Ram Sevak Choudhary

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 06-12-2023 Heard the parties.

2. The petitioner apprehend his arrest in connection with Roh P.S. Case No.58 of 2022, registered for the offence punishable under Sections 395, 397 of the Indian Penal Code.

3. The allegation against the petitioner is that he along with other co-accused persons looted the belongings of the informant on gun point.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and have committed no offence. He has been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. There is no specific overt act against the petitioner. Petitioner has been made accused on the basis of a mobile number. There is no material



evidence available against the petitioner. There is no recovery from the possession of the petitioner. The petitioner has been made accused in the present case because he is a friend of co-accused Vikash. Petitioner has no criminal antecedent.

5. Learned APP for the State opposed the prayer for anticipatory bail.

6. Having regard to the facts and circumstances of the case as well as considering the nature of offence, I am not inclined to enlarge the petitioner on bail. The prayer for grant of anticipatory bail on his behalf is hereby rejected.

7. This application is, accordingly, dismissed.

8. However, if the petitioner surrenders before the learned Court below within a period of six weeks from today and seek for regular bail, the learned Court below shall pass the order on the same day in accordance with law.

(Anjani Kumar Sharan, J)

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