

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78781 of 2023

Arising Out of PS. Case No.-25 Year-2023 Thana- ASHOK PAPER MILL District-
Darbhanga

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Raja Bhagat Son of Shiv Shankar Bhagat Residence of Village - Anandpur
Sahora, Post - Anandpur, P.S.- Ashok Paper Mill, District - Darbhanga.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Munni Devi Wife of Pradip Choudhary Resident of Village - Sahora, P.S.-
APM, District - Darbhanga.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kaushalesh Choudhary, Adv.

For the Opposite Party/s : Mr. Ram Priya Sharan Singh, APP.

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 11-12-2023 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

2. Petitioner apprehends his arrest in connection with
Ashok Paper Mill P.S. Case No. 25 of 2023, dated 22.02.2023,
registered for the offence punishable u/s 457/380 of the I.P.C.,
pending in the court of learned Additional Judicial Magistrate
IV, Darbhanga.

3. As per the F.I.R., allegation against the unknown
persons have entered into the house of the informant and stolen
five thousand cash, ear tops and etc. from the godrej.

4. The petitioner is quite innocent and has been falsely
implicated in this case due to previous grudge. Petitioner is not
named in the F.I.R.. The allegation levelled against the



petitioner is general and omnibus in nature. Petitioner has been made accused in this case only on the basis of confessional statement of co-accused, Manish Kumar Yadav. There is no overt act against the petitioner. Petitioner has one criminal antecedent as mentioned in para 3 of this application.

5. Per contra, learned APP for the State vehemently opposing the bail petition submitted that the allegations levelled against the petitioner is serious in nature, hence he does not deserve anticipatory bail.

6. Considering the facts and circumstances of case, the nature of offence is serious, I am not inclined to enlarge the petitioner on bail. The prayer for bail of the petitioner is hereby rejected.

7. However, if the petitioner surrenders before the learned Court below within six weeks from today and seek regular bail, the learned Court below shall pass order on the same day in accordance with law without being prejudiced by this order. Considering the fact the co-accused Manish Kumar Yadav has been granted regular bail by the learned court below.

(Anjani Kumar Sharan, J)

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