

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74726 of 2022

Arising Out of PS. Case No.-223 Year-2021 Thana- TARIYANI CHOWK District- Sheohar

AWDHESH SAH @ AWDHESH KUMAR S/o Ramlobhit Sah Resident Of
Village- Sarifnagar P.S.- Tariyani, Distt- Shivhar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs.Madhuri Kumari, Adv.

For the Opposite Party/s : Mr.Choubey Jawahar, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 23-03-2023 Heard the parties.

The petitioner apprehends his arrest in a case in connection with Tariyani P.S. Case No.223 of 2021, registered for the offence punishable u/s 413, 414, 34 and 120B of the IPC.

Allegation against the petitioner is that he is involved in purchase of stolen truck and selling its part separately. From the possession of the co-accused several parts of one twelve wheeler truck, Gas cylinders and mobiles were recovered.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. Petitioner is not named in the F.I.R. and has been falsely implicated in this case. No such occurrence, in the manner, as alleged has ever taken place. The allegation leveled against the petitioner is not specific rather general and omnibus in nature.



No incriminating article has been recovered from the conscious physical possession of the petitioner. The said recovery has been made from the shop of the co-accused Jhalak Sah and he disclosed the name of petitioner. One of the similarly situated co-accused has been granted anticipatory bail by a co-ordinate Bench of this Court.

Learned APP for the State opposed the prayer for bail by submitting that bail application of two of the similarly situated co-accused was withdrawn before this Court after some arguments vide Cr. Misc. No.18245/2022 and Cr. Misc. No.27564/2022

Considering the facts and circumstance of the case and the nature of allegation, I am not inclined to enlarge the petitioner on bail. The prayer for grant of anticipatory bail on his behalf is hereby rejected.

This application is accordingly dismissed.

(Anjani Kumar Sharan, J)

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