

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6622 of 2024

Arising Out of PS. Case No.-112 Year-2023 Thana- KATIHAR MUFFASIL District- Katihar

Monu Kumar @ Monu Kumar Thakur S/O- Dinesh Thakur @ Dinesh Kumar Thakur, R/O Village- Rani Patara, Chandi, P.S.- Muffasil, Distt.- Purnia.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Sanjeev Kumar Singh, Advocate
For the Opposite Party : Mr. Manoj Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 28-06-2024 Heard Mr. Sanjeev Kumar Singh, the learned counsel for the petitioner and Mr. Manoj Kumar, the learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Katihar Muffasil PS Case No. 112 of 2023, FIR dated 01.06.2023, registered for the offences punishable under Sections 379, 411 and 414 of the Indian Penal Code.

3. According to the prosecution case, a truck bearing registration no. BR11-GG-1334, loaded with 39640 (thirty-nine thousand six hundred and forty) kgs. of maize worth Rs. 713520/- (seven lakhs thirteen thousand five hundred and twenty) departed from Gulabbagh towards Katihar Railway Godown. It is further alleged that after reaching at new bus stand, the driver of the truck namely, Md. Arshad, telephonically



informed the informant that some unknown persons have stolen the maize loaded truck.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case and the allegation levelled in the FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR. He further submits that the petitioner is not named in the FIR and his name transpired during investigation on the basis of the confessional statement of the co-accused person namely, Md. Chand Alam. He lastly submits that petitioner has no concern at all with the alleged occurrence.

5. The learned Additional Public Prosecutor for the State on the other hand has vehemently opposed the prayer for bail of the petitioner and submits that the anticipatory bail application of the co-accused person namely, Bali @ Bablu Kumar, against whom there is similar nature of allegation and who was also not named in the FIR, has been rejected by this Hon'ble Court vide order dated 16.04.2024 passed in Cr. Misc. No. 1001 of 2024. Apart from that, the CDR location also supports that the petitioner was present at the place of occurrence.



6. Considering the aforesaid facts and circumstances,
I am **not** inclined to grant the privilege of anticipatory bail to the
petitioner in connection with Katihar Muffasil PS Case No. 112
of 2023, pending in the Court of learned Chief Judicial
Magistrate, Katihar.

7. Prayer is refused.

(Rajesh Kumar Verma, J)

Shahnawaz/-

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