

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11695 of 2024

Arising Out of PS. Case No.-45 Year-2018 Thana- PATEPUR District- Vaishali

Manoj Sahani @ Manoj Kumar Sahani @ Manoj Kumar S/o- Subelal Sahani
Village- Basauli Ps- Kudhani Dist- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Hrishikesh Jha, Adv.

For the Opposite Party/s : Mr.Akshay Lal Pandit, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 12-03-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. Petitioner is apprehending his arrest in connection with
Patepur P.S. Case No.45 of 2018, registered for the offence
punishable u/s 395 of the IPC.

3. As per the prosecution case, some unknown miscreants
overtook the car of the informant and dragged him outside and
on the point of revolver, they assaulted him and snatched cash of
Rs.20,000/-, ATM card, two channel card, mobile phone from
the informant and also took away his car.

4. It is submitted by learned counsel for the petitioner that
petitioner is quite innocent and has not committed any offence.
He is not named in the F.I.R. and has been falsely implicated in
this case on the confessional statement of the co-accused



Sanjeet Kumar @ Badal. No incriminating articles has been recovered from the conscious physical possession of the petitioner. Petitioner has no criminal antecedent.

5. Learned APP for the State opposed the prayer for bail by submitting that the name of petitioner transpired in this case on the confessional statement of the co-accused and Apex Court in the case of *Indresh Kumar v/s The State of UP & Anr. In Criminal Appeal no.938 of 2022*, has held that statements made under section 161 Cr.P.C. are relevant in considering the prima facie case against an accused in an application for grant of bail in the case of grave offence.

6. Considering the aforesaid facts and circumstances 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.

7. This application is accordingly dismissed.

(Anjani Kumar Sharan, J)

pallavi/-

U		T	
---	--	---	--

