

Arising Out of PS. Case No.-314 Year-2018 Thana- BALIYA District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Saurabh Kumar
For the Opposite Party/s : Mr.Md. Shakir Ahmad

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

3 16-07-2024 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Ballia P.S. Case No. 314 of 2018 registered for the offences punishable under Sections 392 of the Indian Penal Code.

3. As per prosecution case, the informant was returning to his work place, in the way he was stopped by three to four unknown miscreants and on gun point the miscreants looted one golden pendent, Rs. 33,550/- in cash and two mobile phones from the informant and thereafter the miscreants fled away.

4. Learned counsel for the petitioner submits that petitioner is quite innocent and has committed no offence as



alleged in the FIR. Petitioner bears no criminal antecedent. During course of investigation, it has been found that the sim card bearing no. 7903384647, which was used in the looted mobile phone, was issued in the name of the petitioner. He has further submitted that aforesaid sim card was never used by the petitioner. He has falsely been implicated in the present case and he deserves anticipatory bail.

5. The learned A.P.P. for the State vehemently opposes the prayer for anticipatory bail by submitting that the name of the petitioner came in picture as user of mobile no. 7903384647 which is used in the stolen Redme A5 Mobile Phone of informant, as per the CDR/CAF (para 68 of the CD) as mentioned in impugned order and para 62 of the supplementary CD shows that the warrant of arrest has been executed against the petitioner.

6. Considering the facts and circumstances of the case, nature of allegation I am not inclined the grant bail to the petitioner. Accordingly, the prayer for bail of the petitioner is hereby rejected.

7. However, the petitioner is directed to surrender before the concerned court within six weeks from the date of receipt of the order. If the petitioner surrenders and seeks



regular bail, the concerned court may pass an appropriate order on the day of hearing without being prejudiced by order of this court.

(Alok Kumar Pandey, J)

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