

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24856 of 2024

Arising Out of PS. Case No.-309 Year-2023 Thana- VIJAYEPUR District- Gopalganj

Prince Kumar @ Prince Bharati S/o Nagendra Bharti Resident of village
Bhadaur PS Chainpur District Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vikash Kumar Jha, Advocate

For the Opposite Party/s : Mr. Parmanand Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 01-05-2024 Heard Mr. Vikash Kumar Jha, learned counsel for the
petitioner and Mr. Parmanand Prasad, learned APP.

2. The petitioner is apprehending his arrest in connection with Vijaipur P.S. Case No. 309 of 2023 for the offence under Section 398 of the I.P.C. lodged on 03.10.2023 by the informant, Raju Verma.

3. As per the prosecution story, the informant who owns the Bidhyawasini Abhushan Bhandar at Musehari Bazar, Gopalganj alleged that on 03.10.2023, the accused persons barged into the shop and on the point of pistol, looted the articles. As the locals assembled and started pelting bricks and stones, they fled towards Bhorey. Accordingly, the FIR.

4. Learned counsel for the petitioner submits that though he has been named in number of cases, in the present



case, his name has come in the confessional statement which is an extrajudicial confession having no meaning in the eyes of law.

5. Learned APP points out that he has criminal antecedent of the same nature and the allegation is of robbery of a jewellery shop which is grave. The confession if corroborated with other evidence becomes an important piece of evidence and cannot be brushed aside only because it has been recorded by the police. He, as such, opposes the prayer.

6. Considering the aforesaid facts as also his criminal antecedents, this Court is not inclined to extend him the privilege of anticipatory bail to the petitioner, which is accordingly rejected.

7. If, however, the petitioner surrenders within a period of four weeks from today, the Court concerned shall take up the matter and dispose of the same preferably on the same day.

(Rajiv Roy, J)

Adnan/-

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