

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 25804 of 2024

Arising Out of PS. Case No.-1101 Year-2023 Thana- KHAJANCHI HAT District- Purnia

Rajesh Kumar @ Rajesh Kumar Srivastav @ Rajesh Srivastav son of Shyam
Kishor Srivastav @ Shyamal Kishore Srivastav Village- Shrivdham Colony
Ps- Madhubani Top K. Hat Dist- Purnea Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dr. Bidhu Ranjan, Advocate

For the Opposite Party/s : Mr. Madan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA
ORAL ORDER

3 22-05-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection with K. Hat (Madhubani) Police Station Case No. 1101 of 2023 registered for the offence punishable under Sections 399, 402, 379, 411, 413, 467, 468, 471 and 420 of the IPC and Section 25(1-b)a, 26 and 35 of the Arms Act.

3. As per allegation in the FIR, informant received a secret information that some suspected outsider are living within the premises of co-accused, namely, Karan Sinha of Madhubani and they have organized gang for committing theft in the town. Informant alongwith members of special team constituted by superior officers reached and apprehended some of them.

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case. He further submits that no incriminating article has been recovered from the



conscious possession of the petitioner and his name has been come on record by the apprehended co-accused persons, namely, Suresh Dad and Deva Das. Petitioner has got one criminal antecedent bearing K.Hat P.S. Case No. 1090 of 2023 under Sections 356 and 379 of IPC.

5. However learned APP for the State oppose the prayer for bail of the petitioner.

6. On perusal of the FIR, seizure list and impugned order dated 06.03.2024, it appears that on the basis of written report of the informant FIR was registered against 15 accused persons including the present petitioner. On perusal of the seizure list, it appears that many suspected articles and stolen articles has been recovered. Investigation against the petitioner is going on in this case.

7. Considering the aforesaid facts and circumstances of the case and serious allegation levelled against the petitioner, I am not inclined to grant bail to the petitioner.

8. Prayer for anticipatory bail of the petitioner is hereby rejected.

(Ramesh Chand Malviya, J)

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