

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38262 of 2024

Arising Out of PS. Case No.-139 Year-2023 Thana- SIGAUDI District- Patna

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Kundan Kumar S/O Kamakhya Yadav @ Kamakhya Narayan R/O Vill.-
Sadabah, P.S.- Dulhin Bazar , Dist.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ajay Kumar Sinha

For the Opposite Party/s : Mr.Dr. Ajeet Kumar

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 25-06-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending his arrest in connection with Sigaudi P.S. Case No. 139 of 2023 instituted for the offences under Section 392 of the Indian Penal Code.

3. The prosecution case, in short, is that, some unknown miscreants came on two motorcycle and on the point of pistol looted cash of Rs. 12,50,000/-, mobile from the informant.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. Petitioner is not named in the FIR. The name of the petitioner has come into light on the basis of



confessional statement of co-accused. No incriminating article has been recovered from the conscious possession of the petitioner. Moreover, petitioner has one criminal antecedent in which he is on bail.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner and submitted that during investigation, the name of the petitioner has transpired in this case. He further submitted that as alleged looted ornaments have been recovered from the house of the petitioner, hence, the petitioner does not deserve anticipatory bail.

6. Considering the aforesaid facts and circumstances of the case and the seriousness of the allegation, this Court is not inclined to grant anticipatory bail to the petitioner.

7. The prayer is rejected.

8. However, if the petitioner surrenders and prays for regular bail, the same shall be considered by the Court below on its own merit without being prejudiced by this order of rejection.

(Rudra Prakash Mishra, J)

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