

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43387 of 2024

Arising Out of PS. Case No.-42 Year-2024 Thana- ROH District- Nawada

Prabhakar Kumar @ Prabhakar Mahto Son Of Mahesh Mahto Village-
Bhandajor, P.S.- Roh, Distt.- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gaurav Kumar Verma, Advocate

For the Opposite Party/s : Mr. Anant Kumar 1, APP

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

ORAL ORDER

3 02-08-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State. Perused the case diary.

2. The petitioner apprehends his arrest in connection
with Roh P.S. Case No. 42 of 2024 registered for the offences
punishable under Sections 419, 420, 467, 468, 471, 120(B) of
the Indian Penal Code and Section 69(B) & 66(D) of the I.T.
Act.

3. Prosecution case as emanated from the FIR is that
on secret information received by the police party pertaining to
giving job in turn of taking money, they reached Panchayat
Bhawan. It is alleged that on seeing the police party accused
persons tried to flee away but one of them has been arrested,



namely, Rahul Kumar, who disclosed the names of his associates including the petitioner herein.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case. It is submitted that nothing has been recovered from the possession of the petitioner. It is submitted that due to previous enmity with Rahul Kumar, petitioner has been falsely implicated in the instant case.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. It is submitted that petitioner is named in the FIR and his involvement in this case has been confessed by apprehend co-accused, Rahul Kumar. He next submits that petitioner successfully fled from the place of the occurrence. Referring to paragraph No. 34 of the case diary, it is submitted that witnesses have supported the prosecution case.

6. Considering the rival submissions made by the learned counsel for the parties and the nature of accusation, this Court is not inclined to grant anticipatory bail to the petitioner. Prayer is *rejected*.

7. However, if the petitioner surrenders before the



court below within a period of four weeks from today and prays
for regular bail, the same would be considered by the court
below in accordance with law without being prejudiced by the
order of this Court.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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

