

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48925 of 2024

Arising Out of PS. Case No.-161 Year-2024 Thana- KOTWALI District- Patna

Md. Lucky @ Khaliquzzama @ Khalikuzzama S/O Shamim Ahmad R/O
Village- Mahnar, Ward No- 14 , Near National Dawakhana, P.S- Mahnar,
District- Vaishali, Bihar

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shahrukh Shiddiqui, Adv.
For the Opposite Party/s : Mr. Navin Kr. Pandey, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

8 13-12-2024 Heard the parties.

2.The petitioner is not named in the F.I.R. and apprehending his arrest in connection with Kotwali P.S. Case No. 161 of 2024 registered for the offences punishable under Sections 394 of the Indian Penal Code and 27 of Arms Act.

3. The allegation against petitioner is commit dacoity along with unknown co-accused persons and while committing so looted 2 kg gold from the informant, as per FIR

4. It is submitted by learned counsel



appearing on behalf of the petitioner that the petitioner implicated out of confessional statement of co-accused Bunty Yadav and in furtherance of same till now nothing incriminating recovered which may connect *prima-facie* petitioner with present occurrence. It is submitted that the petitioner is a student of Patna University and he was implicated out of previous enmity by other co-accused persons.

5. Learned APP, while opposing the prayer of bail submitted that the petitioner was identified from CCTV footage by co-accused Bunty Yadav. It is submitted by learned counsel that co-accused Raju Patel @ Raju was identified by the police during the course of investigation and total of 800 grams of gold was also recovered from his possession. Learned APP further pointed out that the petitioner also concealed his criminal antecedents and he remains silent and only one criminal antecedent was disclosed on affidavit



though in actual three different criminal cases beside this case are pending against him for heinous offences like offence u/s 307 of IPC.

6. Considering the aforesaid facts and circumstances and by taking note of fact as petitioner prima-facie identified out of CCTV footage during course of investigation and he also found involved in three other criminal cases of heinous nature, what he concealed on affidavit, the present prayer of anticipatory bail of the petitioner is **rejected** herewith.

7. The presence of IO is dispensed with.

(Chandra Shekhar Jha, J)

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