

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53903 of 2023

Arising Out of PS. Case No.-192 Year-2022 Thana- GHOSI District- Jehanabad

BABAN KUMAR SON OF UPENDRA PRASAD RESIDENTS OF
VILLAGE ARHIT POLICE STATION GHOSI OKARI OP DISTRICT
JEHANABAD

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar Singh
For the Opposite Party/s : Mr.Bhanu Pratap Singh

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

4 15-07-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Ghoshi (Okari O.P.) P.S. Case No. 192 of 2022 registered for the offences punishable under Sections 420, 414/34 of the Indian Penal Code.

3. As per prosecution case, stolen motorcycles were recovered from possession of co-accused Akash Paswan @ Akash Kumar and Chhotu Sharma @ Ravikant Sharma and said apprehended co-accused disclosed the name of petitioner and others who managed to escape.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence as alleged in the FIR. He further submits that petitioner bears criminal antecedent of 18 cases in which he is on bail. He further submits



that no incriminating article has been recovered from possession of the petitioner. Except confessional statement of co-accused, there is nothing on record to connect the present petitioner with the alleged occurrence.

5. The learned A.P.P. for the State vehemently opposes the prayer for anticipatory bail of the petitioner and submits that petitioner bears criminal antecedent of 18 cases in which some of the cases are of similar nature.

6. Considering the facts and circumstances of the case, criminal antecedent of petitioner and material available on record, I am not inclined to grant privilege of anticipatory bail to petitioner. Accordingly, the prayer for anticipatory bail of the petitioner is, hereby, rejected.

7. However, petitioner is directed to surrender before the concerned court within six weeks from today and if petitioner does so and seeks regular bail, the concerned court may pass appropriate order on the day of hearing without being prejudiced by this order.

(Alok Kumar Pandey, J)

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