

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65941 of 2024

Arising Out of PS. Case No.-154 Year-2023 Thana- SARAI District- Vaishali

Abhishek Kumar Son of Vijay Paswan @ Bijay Paswan R/O- Sarai, P.S.-
Sarai, Dist.- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Aniket Singh, Adv.

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

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 03-10-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Sarai P.S. Case No. 154 of 2023 registered for the offences punishable under Sections 457, 380, 411, 34 of the Indian Penal Code.

3. The prosecution case, in brief, is that on 07.06.2023 at about 01:00 AM, six miscreants entered the house of the informant and tried to commit theft. It is further alleged that when the informant woke up and raised an alarm, the thieves started fleeing away, but three of them were apprehended and disclosed their names as well as the names of the escaped accused persons. Thereafter, when the informant checked his house, he found Rs. 3100/- kept in the box missing.

4. It is submitted by learned counsel for the petitioner



that the petitioner is quite innocent and has committed no offence. No such occurrence as alleged has ever taken place. Nothing has been recovered from the conscious possession of the petitioner. He has been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioner is totally false and based on concocted facts. There is nothing on record to indicate the complicity of the petitioner barring the confessional statements of the apprehended persons which have no evidentiary value in the eye of law. Petitioner has one criminal antecedent of similar nature of offence that of the present case, as mentioned in para 3 of the bail application.

5. Learned APP for the State opposes the prayer for bail.

6. Considering the facts and circumstances of the case as well as the criminal antecedent of the petitioner, I am not inclined to enlarge him on anticipatory bail. The prayer for anticipatory bail of the petitioner is hereby rejected.

7. Accordingly, this application stands dismissed.

(Anjani Kumar Sharan, J)

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