

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67245 of 2024

Arising Out of PS. Case No.-337 Year-2023 Thana- SARAI RANJAN District- Samastipur

Sachin Kumar Son of Tej Narayan Sah Resident of Village - Rariyahi, Post
Office - Kumaiya, Police Station - Halai, District - Samastipur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amit Kumar

For the Opposite Party/s : Mr.Abhay Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 23-10-2024 1. Heard the parties.

2. The petitioner apprehends his arrest in connection with Sarai Ranjan P.S. Case No. 337 of 2023 dated 04.12.2023 registered for the offence under Section 461, 379 of the I.P.C.

3. As per the prosecution case on 02.12.2023 the informant after closing his Mobile repairing shop where he also deals with sale of new mobile and TV namely Tilak Electronics went to his home. In the next morning on 03.12.2023 he came to know that some unknown thieves after breaking the lock of the shop have stolen several articles including Mobiles and LCD TV.

4. Learned counsel for the petitioner submits that petitioner is innocent and has not committed any offence in the manner alleged. He next submits that petitioner is not named in the First Information Report. He further submits that there is no direct, indirect or circumstantial evidence against the petitioner. The



petitioner has no criminal antecedent. He next submits that one Sudhir Kumar along with Sonu Kumar Ray came to the video mixing lab of the petitioner and requested him to purchase a new LCD TV and the petitioner paid in cash and purchased the said LCD TV being unaware about the fact that the said LCD TV was stolen one.

5. I have heard learned counsel for the petitioner and perused the material on record. The petitioner name has surfaced in this case on the basis of confessional statement of the co-accused / Sonu Kumar Rai @ Kari in which he has disclosed that theft articles were sold out to the petitioner. Further, there is recovery of one LCD TV from his shop which has been found to be stolen one which corroborates the prosecution story and the confessional statement.

6. In view of the facts and circumstances, considering the gravity of the offence and the fact that confession has led to recovery of theft articles, accordingly, I am not inclined to grant privilege of anticipatory bail to the petitioner. The same is rejected.

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(Anil Kumar Sinha, J)

