

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67937 of 2024

Arising Out of PS. Case No.-306 Year-2024 Thana- RAMNAGAR District- West Champaran

Bittu Kumar Yadav @ Bittu Yadav @ Biltu Yadav Son of Sri Sudarshan Yadav Resident of Village - Semra Mahui, P.S. - Ramnagar, District - West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sharad Kumar Verma

For the Opposite Party/s : Mr. Sanjay Kumar Sharma

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

2 24-10-2024

1. Heard learned Counsel for the petitioner and learned

Additional Public Prosecutor for the State.

2. This application, for grant of anticipatory bail, arises out of Ramnagar Police Station Case No. 306 of 2024, disclosing offences under Sections 309(4) of the Bharatiya Nyaya Sanhita, 2023.

3. As per the First Information Report, on 11.07.2024 at about 11:00 am, informant was going to his CSP Centre, Pakadi Deoraj on Apache motorcycle 160 bearing registration no. BR22AQ-2454 with a bag containing Rs. 3,06,000/-, and when he reached village Bargajwa then on the road in front of the orchard of Shahi Ji, three bikers on HF Deluxe motorcycle surrounded him, and on point of pistol, they snatched black colored bag hanging on his back containing laptop, transaction register, a morpho memory card, ATM Card and keys of the bank, and Oppo Reno 10 Pro mobile with SIM no. 7761944680 inserted therein.

4. Learned Counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged. The



petitioner is not named in the FIR and he was also not present at the place of occurrence. No incriminating article has been recovered from the conscious possession of the petitioner. He next submits that two persons who were apprehended, namely Ashish Kumar Yadav and Dharmendra Yadav, disclosed the name of the petitioner. He next submits that there is no evidence or material to show his complicity in the alleged occurrence.

5. I have heard learned counsel for the parties and have perused the FIR, impugned order and other materials on record. Two accused persons were arrested in this case and from their possession, looted articles, money and motorcycle used in the crime have been recovered. They have stated that the offence was committed by them along with the petitioner and others. Learned Additional Sessions Judge IV, West Champaran, in his order has observed that accused persons have formed a gang and in the past also, they have committed similar nature of offence. Accordingly, I do not find any reason to differ with the impugned order.

6. This application is, accordingly, rejected.

(Anil Kumar Sinha, J)

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