

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82454 of 2023

Arising Out of PS. Case No.-67 Year-2019 Thana- RUPASPUR District- Patna

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PANKAJ KUMAR S/O SRI BINDESHWARI RAJAK Resident of Ward No.-
32, Hatia Gachi, P.S.- Saharsa, Sadar, District- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar Biah

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shashank Shekhar Jha

For the Opposite Party/s : Mrs. Sucheta Yadav

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 05-01-2024 Heard learned counsel for the petitioner as well as
learned APP for the State.

2. The petitioner apprehends his arrest in connection with Rupaspur P.S. Case No.67 of 2019, registered for the offence punishable under Sections 392 of the Indian Penal Code.

3. Allegedly, the informant was sleeping in his vehicle, in the meantime, four boys came and broke the glass of the vehicle and threatened the informant to shut his mouth or else he will get killed. It is further alleged that the four boys fled away after taking his vehicle.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and have committed no



offence. He has been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. He submits that the FIR has been lodged against unknown persons but one person was apprehended by the police during the course of investigation and he disclosed the name of the petitioner. He further submits that in Rupaspur P.S. Case No.77 of 2019, the prosecution has remanded the petitioner and in the present case, the I.O. has stated in his final form that the petitioner is an absconder. He submits that the petitioner is in judicial custody from 17.05.2019 and the petitioner was to be remanded in the present case also. Petitioner has six criminal antecedent.

5. Learned APP for the State opposed the prayer for anticipatory bail.

6. Having regard to the facts and circumstances of the case as well as considering the nature of offence, I am not inclined to enlarge the petitioner on bail. The prayer for grant of anticipatory bail on his behalf is hereby rejected.

7. Accordingly, this application is dismissed.

8. However, if the petitioner surrenders before the



learned Court below within a period of six weeks from today
and seek for regular bail, the learned Court below shall pass
the order on the same day in accordance with law.

(Anjani Kumar Sharan, J)

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