

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76478 of 2024

Arising Out of PS. Case No.-251 Year-2019 Thana- AWTARNAGAR District- Saran

Niraj Kumar Son of Pelu Panda R/o Village-Doriganj, P.S-Doriganj, Dist-Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeet Kumar Singh, Adv.

For the Opposite Party/s : Mr. Jagdhar Prasad, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 18-11-2024 Heard learned counsel for the petitioner and learned A.P.P.
for the State.

2. The petitioner apprehends his arrest in connection with Awtarnagar P.S. Case No. 251 of 2019 registered for the offences punishable under Sections 341, 323, 379, 384, 386, 34 of the Indian Penal Code.

3. The prosecution case, in brief, is that on 23.12.2019 at about 23:15 P.M., when the informant was going to bring the sand from Koilwar, in the way, he was intercepted by five unknown culprits, who snatched cash of Rs. 12000 as well as one small carbon mobile from the possession of the informant.

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. No incriminating article has been recovered from the conscious possession of the



petitioner. He has falsely been implicated in this case due to ulterior motive. The allegation levelled against the petitioner is totally false and based on concocted facts. He has no concern either with the seized motorcycles or the apprehended person. He is not named in the FIR. His name has been transpired in the present case in course of investigation merely on the basis of the confessional statement of the apprehended person which has no evidentiary value in the eye of law. It is further submitted that nothing specific has been attributed against this petitioner. There is nothing on record to indicate the complicity of the petitioner barring the confessional statement of the apprehended person. Learned counsel further submits that petitioner has no criminal antecedent as mentioned in para-3 of this 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 nature of the offence, I am not inclined to enlarge the petitioner on anticipatory bail. The prayer for anticipatory bail of the petitioner is hereby rejected.

7. Accordingly, the application stands dismissed.

(Anjani Kumar Sharan, J)

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