

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72578 of 2023

Arising Out of PS. Case No.-124 Year-2023 Thana- THALI District- Nawada

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VIBHAKAR KUMAR GAUTAM S/O SRI SANJAY KUMAR VILLAGE-
KARIAUNA, PS. SILAO, DIST. NALANDA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ajay Kumar Thakur, Adv.

Mrs.Vaishnavi Singh, Adv.

For the Opposite Party/s : Mr.Satyendra Narayan Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

5 16-04-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. Petitioner is apprehending his arrest in connection with
Thali P.S. Case No.124 of 2023, registered for the offence
punishable u/s 341, 342, 379/34 of the IPC and subsequently
sections 395 and 412 IPC were added.

3. As per the prosecution case, the informant was involved
in the work of pole shifting on SH 103 from Fatehpur to
Govindpur and his godown was located in the house of one
Masudan Prasad Yadav. It is alleged that some miscreants after
tying the eyes and legs of the workers, taken away valuable
articles i.e. 5400 kg of scrap conductor, 660 kg of new



conductor, 320 kg of new cable along with other articles.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has not committed any offence. He is not named in the F.I.R. and has been falsely implicated in this case due to ulterior motive. During investigation, some of the accused stated before the police that petitioner is also involved in the alleged occurrence. No incriminating article has been recovered from the conscious physical possession of the petitioner. Petitioner is a registered scrap dealer. Petitioner has no criminal antecedent.

5. Learned APP for the State opposed the prayer for bail by submitting that in the confessional statement of the co-accused, they have stated that they contacted the petitioner for keeping the articles and on his direction the goods were unloaded in a school in village Kariyanna.

6. Considering the aforesaid facts and circumstances and the nature of allegation, I am not inclined to enlarge the petitioner on bail. The prayer for grant of anticipatory bail on his behalf is hereby rejected.

7. This application is accordingly dismissed.

8. However, petitioner is at liberty to surrender before the learned Court below within a period of six weeks and seek



regular bail and the learned Court below would pass order, preferably, on the same day, in accordance with law, considering that other co-accused were granted regular bail by the Court.

(Anjani Kumar Sharan, J)

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