

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77558 of 2024

Arising Out of PS. Case No.-143 Year-2024 Thana- BARHIYA District- Lakhisarai

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Anurag Kumar @ Bambam S/O Sriram Singh R/O Vill- Ramchandrapur near
Durga Mandir, P.S.- Pipariya, District- Lakhisarai, Bihar

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bijendra Kumar, Advocate

For the Opposite Party/s : Mr.Dr.Mrityunjaya Kr.Gautam, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 11-11-2024

Heard the parties.

2. The petitioner is in judicial custody in connection with Barhiya P.S. Case No. 143 of 2024 for the offence punishable under Sections 457 and 380 of the Indian Penal Code lodged on 06.06.2024 by the informant, Tunni Devi.

3. As per the prosecution story, the allegation is that the accused persons covering their faces as recorded in the CCTV footage committed theft in the house of the informant. The Informant raised suspicion after watching the CCTV footage about some accused persons and upon interrogation from them, the name of the petitioner cropped up. Further, the allegation is that his motorcycle was also used in the crime.

4. Learned counsel for the petitioner submits that neither he has been seen in the CCTV footage nor was present,



rather confessional statement makes him implicated in this case on the ground that his motorcycle was used in the crime. He is in custody since 30.08.2024 (para-13 of the petition).

5. Learned APP has taken this Court to para-3 of the petition to show that he has four criminal antecedents of the same nature and further in the CCTV footage could see certain accused persons who were interrogated and the name of this petitioner came up.

6. The allegation is grave, coupled with the fact that the petitioner has criminal antecedent, his name has come in the confessional statement of the persons who were found to be present during the course of theft, as per the informant who identified them through CCTV footage, in the present scenario, no relief can be granted to the petitioner. Accordingly, the petition stands rejected.

(Rajiv Roy, J)

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