

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78703 of 2023**

Arising Out of PS. Case No.-333 Year-2023 Thana- BANMANKHI District- Purnia

Prince Kumar @ Prins Kumar, aged about 21 years, Gender-male, S/O Gauri Shankar Yadav R/O Village- Tharhi, Ward No. 9, P.S- Sour Bazar (POLICE Shivir Pastpar), Distt.- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binod Kumar Sinha, Advocate.

For the Opposite Party/s : Mr. Kalyan Shankar, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 23-01-2024 Learned counsel for the petitioner is permitted to remove the defect(s), as pointed out by the office, if any, within a period of three weeks from today.

2. Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

3. The petitioner is apprehending his arrest in connection with Banmanki P.S Case No. 333 of 2023 dated 14.07.2023 registered for the offence punishable u/s 392 of the Indian Penal Code.

4. As per the prosecution case, the informant is Field Officer of Credit Private Limited, Banmankhi. On 14.07.2023 at about 15:40 hours, three unknown miscreants



looted Rs. 2,49,210/- in cash, Mobile with SIM bearing No. 6201087272, Adhar Card, Pan Card, Company ID Card, Diary etc. at Mohniya East Tola from the informant on the point of pistol when he was coming to his Office at Banmanki after collecting the amount from the customer of the Company by his motorcycle bearing Registration No. BR-43X/2536.

5. Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case. It is further submitted that the petitioner is not named in the F.I.R. rather his name has sprung up in the confessional statement of the informant. The petitioner has no criminal antecedent as stated in para 3 of the bail petition.

6. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner. The looted article was recovered from the house of the petitioner.

7. Considering the aforesaid facts and circumstances of the case as well as the recovery of stolen article from the conscious possession of the petitioner, I am of the view that no case for grant of anticipatory bail is



made out and the same is rejected with direction to the petitioner to surrender before the Court below concerned within six weeks from the date of this order and the prayer for regular bail and the learned Court below will consider his prayer for regular bail in accordance with law without being prejudiced by this order.

8. The application stands reject.

(Chandra Prakash Singh, J)

Nilmani/-

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