

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79804 of 2024

Arising Out of PS. Case No.-450 Year-2019 Thana- UDWANTNAGAR District- Bhojpur

Prakash Kumar @ Pratap Singh S/O Late Dinesh Singh R/O Vill. - Sewatha,
P.S - Sahar, Dist.- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Akash Kumar Mishra

For the Opposite Party/s : Mr. Uma Shankar Prasad Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 06-12-2024 1. Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Udwanthnagar Police Station Case No. 450 of 2019, disclosing offences under Section 392 of the Indian Penal Code.
3. The prosecution case in brief is that the tractor of the informant was taken away by four unknown persons on gun point.
4. Learned Counsel for the petitioner submits that the petitioner has falsely been implicated in the present case due to ulterior motive. The petitioner is not named in the FIR rather his name has transpired on the confessional statement of co-accused Randheer Kumar. Petitioner has not apprehended from the spot and nothing has been recovered from his possession. Petitioner



was unaware about the present case and he only got the knowledge about the present case in March, 2024, when the local chowkidar informed the family members of the petitioner about the warrant of arrest against the petitioner.

5. I have heard learned counsel for the parties and have perused the material on record including the impugned order. Co-accused in his statement has admitted that the petitioner had taken the tractor on the pretext of purchasing sand. Petitioner has criminal antecedent and police has submitted charge sheet against co-accused but continuing the investigation against the petitioner. The FIR is of year 2019 but anticipatory bail has been filed after delay of about five years, accordingly, I am not inclined to grant anticipatory bail to the petitioner.

6. This application is, accordingly, rejected.

(Anil Kumar Sinha, J)

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