

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83608 of 2023

Arising Out of PS. Case No.-478 Year-2023 Thana- BARH District- Patna

Uday Kumar S/O Jagdish Ray Village- West Malahi, Ps. Barh, Dist. Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumari Pallavi, Adv.

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

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

6 15-07-2024 Heard learned counsel for the petitioner and
learned APP for the State.

2. The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Barh P.S Case No. 478 of 2023 instituted for the offence punishable under Sections 392 of the Indian Penal Code.

3. As per prosecution case, three unknown persons came with tractor and stolen the two mobile phones of the informant with Rs. 3100/- in cash and also stolen flyover materials like 24 iron centering plates and vibrator machine thereafter, they fled away on the same tractor.

4. Learned counsel for the petitioner submits that



petitioner is falsely been implicated in this case and also submits that there is no direct or indirect material has come against the petitioner to show his complicity in the crime as alleged. It is next submitted by the learned counsel for the petitioner through his supplementary affidavit that according to seizure list the tractor in question which has been recovered by the police is belongs from the name of the brother of the petitioner.

5. Learned APP appearing for the State has opposed the prayer for bail of the petitioner and submitted that investigation of the petitioner in the matter is going on and if he is released on anticipatory bail then the investigation will be affected adversely.

6. From perusal of the F.I.R., impugned order, seizure list and case diary, it appears that some stolen mobile phones and blue colour tractor were recovered from the possession of the petitioner later on 11 pieces of centing plates were also recovered from Patwari Steel Private Limited and Fatuha and the witness examined also corroborated the prosecution witness and accepted the involvement of the petitioner in the crime.



7. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, I am not inclined to grant anticipatory bail to the petitioner.

8. Accordingly, prayer for anticipatory bail of the petitioner is hereby rejected.

(Ramesh Chand Malviya, J)

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