

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81416 of 2024

Arising Out of PS. Case No.-424 Year-2023 Thana- BARHARIA District- Siwan

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Sachin Kumar @ Sachin Patel S/O Shambhu Prasad R/O Vill.- Pakwalia,P.S-
Barharia,Dist.- Siwan,Bihar

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Prashant Kumar

For the Opposite Party/s : Mr.Syed Mojibur Rahman

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 16-12-2024 1. Heard the parties.
2. The petitioner apprehends his arrest in connection with Barharia P.S. Case No. 424 of 2023 registered under Section 392 of the I.P.C.
3. As per the first information report on 06.11.2023 at about 09:30 A.M. while the informant was going towards his shop, two persons on a motorbike intercepted him and pointed pistol at him. They looted informant's mobile phone and cash and upon alarm raised by the informant, they fled away with his motorcycle bearing registration no. BR29AU6166.
4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence in the



manner alleged. The petitioner is not named in the F.I.R. inasmuch as the same has been instituted against two unknown persons. The petitioner was employed at Pune (Maharashtra) on the date of alleged occurrence and he was not present in Siwan on that day. He submits that the name of the petitioner has transpired in the confessional statement of the co-accused / Rohit Mishra but no material has come during investigation to connect the petitioner with the alleged occurrence. The looted motorcycle has already been recovered by Goreyakothe Police Station on 11.11.2023 for which Goreyakothe P.S. Case No. 304 / 2023 has been registered.

5. Regard being had to the submission made by the parties, taking into consideration the nature of allegation, the fact that in the statement of the co-accused the name of the petitioner has transpired, which may lead to further investigation, for which, custodial interrogation of the petitioner may be required, I am not inclined to grant anticipatory bail to the petitioner. The same is rejected.

6. However, if the petitioner surrenders and seeks regular bail, the court below shall consider the prayer of the petitioner for regular bail without being prejudiced by the fact that the present anticipatory bail application has been rejected



by this Court.

(Anil Kumar Sinha, J)

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