

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83643 of 2024

Arising Out of PS. Case No.-10 Year-2017 Thana- PAHARKATTA District- Kishanganj

Md Ismail Son of Naimuddin R/O Vill- Haji House, Hajirpara Near Masjid
Baldiabasa, P.S-Goalpokhar, District- Uttar Dinajpur (W.B)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajeev Ranjan

For the Opposite Party/s : Mr. Md. Fahimuddin

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 17-12-2024 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 Paharkatta Police Station Case No. 10 of 2017, dated 07.02.2017, disclosing offence under Section 379 of the Indian Penal Code.
3. The prosecution case, as per the First Information Report, is that some unknown thieves have cut the electric wire of the informant's company, worth Rs. 20,22,400/-.
4. Learned Counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. He further submits that the petitioner is not named in the First Information Report and his name transpired on the basis of confessional statement of co-



accused Subhash Yadav, who has disclosed the active involvement of the petitioner in the offence.

- 5. I have heard learned counsel for the parties and have perused the material available on record, including the impugned order.
- 6. From perusal of the impugned order, it transpires that co-accused person, Subhash Yadav, in his confessional statement, has disclosed the active involvement of the petitioner in the alleged offence.
- 7. Considering the above, I do not find any reason to differ with the findings arrived at by the learned Sessions Judge, Kishanganj, inasmuch as the case is under investigation, wherein the custodial interrogation of the petitioner may be necessary based upon the material collected by the police during course of investigation. As such, I am not inclined to grant anticipatory bail to the petitioner.
- 8. This application is, accordingly, dismissed.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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