

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85245 of 2023

Arising Out of PS. Case No.-209 Year-2023 Thana- HARLAKHI District- Madhubani

Chandan Kumar S/O Kari Mahto R/O Village- Gopalpur, Ward No. 13, P.S-
Harlakhi, Distt.- Madhubani. Petitioner/S

Versus

The State Of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Jha, Adv.

For the Opposite Party/s : Mr. Ashok Kumar Singh, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 16-01-2024 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

2. Petitioner apprehends his arrest in connection with Harlakhi P.S. Case No. 209 of 2023 dated 31.07.2023, registered for the offence punishable u/s 399, 402/34 of the IPC and u/s 25(1-b)a/26 of the Arms Act, pending in the court of learned Judicial Magistrate 1st Class, Benipatti, Madhubani.

3. Prosecution case, in short, is that on 31.07.2023 at about 10:00 am, police got secret information that 8-10 persons have assembled at Sub-DHC, Gangaur and planned for bank robbery. On information, police reached on the spot and arrested four persons. One motorcycle and another articles were seized from them and they disclosed that the same belongs to the petitioner. They further disclosed that they were assembled there for committing robbery in Branch of Punjab National Bank at Gangaur.



4. It is submitted by learned counsel for the petitioners that the petitioner is quite innocent and has been falsely implicated in this case due to previous grudge. The allegations levelled against the petitioner is general and omnibus in nature. Petitioner was not apprehended on the spot and nothing incriminating articles has been recovered from the conscious possession of the petitioner.

5. Per contra, learned APP for the State vehemently opposing the bail petition submitted that the allegations levelled against the petitioner is serious in nature and it is not fit case to grant anticipatory bail, hence he does not deserve anticipatory bail.

6. Considering the facts and circumstances of case, I am not inclined to enlarge the petitioners on bail. The prayer for bail of the petitioner is hereby rejected.

7. However, if the petitioner surrender before the learned Court below within six weeks from today and seek regular bail, the learned Court below shall pass order on the same day in accordance with law without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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