

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.786 of 2024

Arising Out of PS. Case No.-2 Year-2023 Thana- KHODAWANDPUR District- Begusarai

Rahul Kumar S/o Late Shiv Kumar Sahni Resident of Village Akbarpur, Ward
No. 7 Mathurapur, P.S. Warisnagar, District- Samastipur Petitioner/s
Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kundan Kumar, Advocate
For the Opposite Party/s : Mr. Navin Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 09-04-2024 Heard Mr. Kundan Kumar, learned counsel for the

petitioner and Mr. Navin Kumar Pandey, learned APP for the

State.

2. The petitioner is apprehending his arrest in connection with Khodawandpur P.S. Case No. 02 of 2023, F.I.R. dated 01.01.2023 for the offences punishable under Section 392 of the Indian Penal Code.

3. According to prosecution case, all the accused persons intercepted the informant and on point of pistol they took his motorcycle and other articles which he was carrying with him including his ATM cards and other important documents.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that the petitioner is not named in the F.I.R. and the name of the



petitioner has been transpired during investigation on the basis of the confessional statement of the co-accused, namely, Md. Niyaz which was recorded in paragraph no. 55 of the case diary and except the aforesaid, no other material has come during investigation to suggest the involvement of the petitioner in the present occurrence.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner is not named in the F.I.R and the name of the petitioner has been transpired on the basis of the confessional statement of Md. Niyaz and apart from that it has come during investigation in paragraph no. 66 of the case diary that another looted motorcycle has been recovered from the house of the petitioner.

6. Considering the aforesaid facts and circumstances, I am not inclined to grant the privilege of anticipatory bail to the petitioner in connection with Khodawandpur P.S. Case No. 02 of 2022 pending in the court of Sub Divisional Judicial Magistrate, Manjhaul, District- Begusarai.

7. Prayer is refused.

(Rajesh Kumar Verma, J)

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