

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.862 of 2024

Arising Out of PS. Case No.-1115 Year-2021 Thana- KHAJANCHI HAT District- Purnia

Phool Chandra Sah @Fulchand Kumar Sah S/O Wakil Sah @Wakil Sah R/O
Village Ishwari Tola Banni, Babu Bagicha, Ward No. 10, P.S.-Maheshkhunt,
District-Khagaria

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amar Kumar Singh, Adv.

For the Opposite Party/s : Ms. Madhuri Lata, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 07-02-2024 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

2. Petitioner apprehends his arrest in connection with
K.Hat (Maranga) P.S. Case No. 1115 of 2021 dated 28.11.2021,
registered for the offence punishable u/s 392 of the IPC, pending
in the court of learned Chief Judicial Magistrate, Purnea.

3. As per the FIR, the allegation against the petitioner is
that the petitioner has involved in road robbery.

4. It is submitted by learned counsel for the petitioner
that the petitioner is quite innocent and has been falsely
implicated in this case due to previous grudge. Petitioner is not
named in the FIR, during the course of investigation, co-
accused, Abhishek Kumar and Md. Sufiyan Alam @ Bhutwa



have disclosed that petitioner has also involved in the present case. The allegations levelled against the petitioner is general and omnibus in nature. Petitioner has no criminal antecedent.

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. Learned APP for the State has relied upon the judgment of Apex Court **Indresh Kumar Vs. Uttar Pradesh**, hence he does not deserve anticipatory bail.

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

7. However, if the petitioner surrenders 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)

annpurna/-

U		T	
---	--	---	--

