

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7579 of 2024

Arising Out of PS. Case No.-13 Year-2020 Thana- PUNAURA District- Sitamarhi

Shivam Kumar S/O Arvind Singh R/O Village- Riga, P.S- Riga, Distt.-
Sitamarhi.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Virendra Kumar, Advocate

For the Opposite Party/s : Mr. Nityanand, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 09-04-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

02. In the present case, the petitioner is apprehending his arrest in connection with Punaaura P.S. Case No. 13 of 2020, registered for the alleged offence under Sections 392 of the Indian Penal Code.

03. As per prosecution case, the informant was robbed by three miscreants at gunpoint of his motorcycle, mobile phone and Rs. 40,000/- in cash. The name of the petitioner transpired during investigation as one of accused persons.

04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Nothing incriminating has been recovered from the person or possession of this petitioner, whose name transpired in this



case on the basis of confessional statement of co-accused from whom, the looted mobile phone was recovered, but the petitioner has no concern with the alleged occurrence or the recovered mobile phone. The petitioner is having criminal antecedent of one case bearing Riga P.S. Case No. 69 of 2020 U/s 379 of IPC, but he is on bail in such case.

05. Learned A.P.P. for the State vehemently opposes the prayer for anticipatory bail. Learned APP further submits that the co-accused named this petitioner, who sold the looted mobile to him. Further, the petitioner is having criminal antecedent for offence registered U/s 379 of IPC and he appears to be involved in similar cases.

06. Having regard to the facts and circumstances and considering the nature of allegation against the petitioner along with his criminal antecedent, I do not find it is a fit case for grant of anticipatory bail to the petitioner and hence, his prayer for anticipatory bail is **rejected**.

(Arun Kumar Jha, J)

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