

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6057 of 2025

Arising Out of PS. Case No.-100 Year-2023 Thana- AMBA District- Aurangabad

Santosh Kumar Son of Omprakash Paswan Resident of Village- Pilchhi, P.S.
-Daudnagar, District - Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukul Kumari

For the Opposite Party/s : Mr.Pranav Kumar

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 09-05-2025 Heard the parties.

2. The petitioner is not named in the F.I.R. and apprehending his arrest in connection with Amba P.S. Case No. 100 of 2023 registered for the offences punishable under Sections 457, 380s of the Indian Penal Code.

3. As per FIR on intervening night of 26.04.2023, 35 quintal wheat, 2 ½ quintal gram, 2 quintal *masoor*, 1 ½ quintal *Arhar* were stolen from the house of the informant by unknown persons.

4. It is submitted by learned counsel appearing on behalf of the petitioner that the name of petitioner



transpired during the course of investigation on the basis of confessional statement of co-accused namely, Anil Paswan. It is submitted that recovery of stolen items appears recovered from the house of Anil Paswan and no such incriminating/stolen materials appears to recovered from the house/ possession of this petitioner. It is pointed out that as recovery of stolen articles already made and the main accused already apprehended by police therefore it can be said safely that investigation of this case already completed on material aspects and therefore, no purpose of justice shall be served to sent this petitioner to judicial custody. While concluding argument, learned counsel submitted that petitioner found involved in five more criminal cases of similar nature, where he is on bail.

5. Learned APP, while opposing the prayer of anticipatory bail submitted that the petitioner found involved in five more criminal cases of similar nature, which *prima-facie* suggests that he is habitual of doing



crime like present. It is submitted that petitioner was also apprehended by the police but on false pretext to attend call of nature, he escaped from police custody and therefore, this petitioner doesn't deserve anticipatory bail.

6. In view of aforesaid factual submissions and by taking note of fact as petitioner escaped from police custody, coupled with the fact that he found involved in five more criminal cases of similar nature, accordingly, prayer of anticipatory bail of the above-named petitioner is **rejected** herewith.

Sudha/-

(Chandra Shekhar Jha, J)

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