

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22749 of 2025

Arising Out of PS. Case No.-580 Year-2021 Thana- KORHA District- Katihar

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Santosh Sharma @ Santosh Kumar Sharma @ Santosh Son of Late Chhedilal
Sharma Resident of Laxmi Tola, Daheriya, P.S. - Katihar Town, District -
Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Ms. Renu Kumari, A.P.P

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 01-05-2025 Heard Learned Counsel for the petitioner and Learned
A.P.P for the State.

2. The petitioner is apprehending arrest in connection
with Korha P.S. Case No. 580 of 2021 lodged on 23.12.2021,
for the offence punishable under Sections 420, 406, 379, 384,
342 & 34 of the Indian Penal Code.

3. As per the prosecution, FIR has been lodged against
three named accused persons (including the present petitioner)
and four unknown persons. It has been alleged in the FIR that
the informant had bought a vehicle from the registered owner,
but subsequently, the brother of the said owner shown his
intention to purchase the said vehicle from the informant and
then the accused persons came to the informant's house for a



test drive. During the test drive, they threatened the informant with a pistol, abducted him and took him to Katihar. Then accused Kishore Kumar and 5-6 others abused and beaten the informant and forcibly recorded a video of him stating he was a liquor and pistol supplier and made him sign on two blank stamp papers. They also stole informant's vehicle, Rs.25,000/- cash, PAN card, phone and the accused persons further demanded Rs.15,00,000/- from the informant and threatening him to leak the video. It has been mentioned that they were talking with each other by taking the name Santosh (petitioner) and Ramesh and continuously threatening the informant for the recovery of the said vehicle.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel submits that the entire allegation in the FIR is basically false and from the contents of the FIR itself, it is clear that there is no specific allegation against the present petitioner save and except that the petitioner along with accused Ramesh have taken the informant's vehicle and returned him in another vehicle. Counsel further submits that petitioner has two criminal antecedents in which in one case, he is on bail and in another, he is acquitted.



5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that the specific allegation against the petitioner is that he has taken the vehicle from the informant and not returned back. Counsel further submits that the petitioner has two criminal antecedents in which in one case, he is on bail and in another, he is acquitted.

6. In the present facts and circumstances, this Court is not inclined to grant bail to the petitioner. Accordingly, the prayer for anticipatory bail of the petitioner is hereby rejected.

7. It is hereby directed to the petitioner to surrender before the Trial Court within a period of 4 weeks from today. In case, the petitioner surrenders within four weeks, then the Trial Court is directed to pass order on his surrender-cum-bail application on the same day without being prejudice that the anticipatory bail of the petitioner has been rejected by this Court and the Trial Court shall pass order on the merit of this case.

(Dr. Anshuman, J)

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