

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78733 of 2025

Arising Out of PS. Case No.-480 Year-2022 Thana- BARH District- Patna

Jay Prakash Kumar S/O Dularchand Yadav R/O Vill.- Chhaperatar, P.S.-
Pandarak, Dist.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Kashyap

For the Opposite Party/s : Mr. Anuj Kumar Shrivastava

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 04-12-2025 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Barh P.S. Case No.480/2022, registered for the offences
punishable under Sections 461,379 of the Indian Penal Code.

3. Learned counsel for the petitioner submits that
petitioner has antecedent of one case and the informant in sum
and substance alleges that on 24.07.2022 some unknown thieves
committed theft in his shop of the articles as detailed in the FIR.

4. Learned counsel for the petitioner submits that the
FIR was instituted against unknown. It is next submitted that the
date of occurrence is 24.07.2022 and the FIR came to be
instituted on 28.07.2022 i.e. after a delay of four days. It is also
submitted that name of the petitioner transpired in the



confessional statement of apprehended accused Roshan and Gautam in police custody which does not have any evidentiary value.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner and submits that the case is of the year 2022. It is also submitted that no doubt the name of the petitioner transpired in the confessional statement of apprehended accused but then the looted articles were recovered from the apprehended accused as such the presence of the petitioner at the place of occurrence in committing the theft cannot be ruled out at this stage, when the investigation is still continuing. It is also submitted that police submitted charge sheet against apprehended accused under Section 461, 399 and 411 of the Indian Penal Code and Section 399 IPC carries punishment of 10 years.

6. Considering the submissions made by the learned APP, the Court is not inclined to extend the privilege of anticipatory bail to the petitioner.

7. The anticipatory bail application of the petitioner is rejected.

(Satyavrat Verma, J)

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