

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38284 of 2013

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Anil Kumar Pandey @ Anil Pandey @ Anil Baba, Son of Late Brij Nandan Pandey, Resident of Village - Tarwa Parsa, Police Station – M.H. Nagar, Hasanpura, District - Siwan

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : M/s Bajendra Kumar Pandey and
Jai Shankar Pathak, Advocates

For the Opposite Party : Mr. Nagendra Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 24-12-2013

The petitioner apprehends his arrest in a criminal prosecution registered for offence under Section 414/34 of the Indian Penal Code. It is submitted that only material against the petitioner is that he has been named by a co-accused before the police and no incriminating article has been recovered either from his house or from his possession.

However, taking into consideration that the petitioner is named in the F.I.R. as an accused and the accused persons are alleged to have received stolen Astadhatu Statue of a temple, this Court is not inclined to accede to the prayer made on behalf of the petitioner for grant of anticipatory bail. It is accordingly rejected.

However, if the petitioner surrenders before the learned court below within a period of one month from today and prays for regular bail in connection with Rasulpur P.S. Case No.136 of 2012 pending in the court of the learned Chief Judicial Magistrate, Saran at Chapra, then his prayer for regular bail shall

be considered sympathetically by taking into consideration that the main accused is said to have been already granted bail in the present case.

mrl.

(Birendra Prasad Verma, J)