

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20042 of 2013

Arising Out of PS.Case No. -131 Year- 2010 Thana -DUMRA District- SITAMARHI

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Chhotan Chaudhary S/O Ram Bilochan Chaudhary Resident Of Village-
Yadu Patti, P.S.- Pupri, District- Sitamarhi

.... Petitioner/s

Versus

The State Of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pushpendra Kumar Singh, Advocate.

For the Opposite Party/s : Mr. Gopesh Kumar (App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

8 08-04-2015 Heard learned counsel for the petitioner as well as

learned counsel for the State.

In this application for anticipatory bail the petitioner apprehends his arrest for the offences punishable under sections 323, 379, 380 and 307 of the I.P.C.

Allegedly, in the night the petitioner and other co-accused came to the Vishal Line Hotel, took meal and refused to pay the bill of Rs. 840/- and demanded ransom and on protest Ramyash Kumar was assaulted by knife and further they took away cash of Rs. 2,700/- from the counter, snatched golden chain and took away two mobiles. During investigation witnesses vide paragraphs 11, 12 and 13 have stated the name of the petitioner and specifically alleged that the petitioner took away two mobiles

from the hotel.

Submission is of false implication and that the petitioner is not named in the FIR with parentage rather he is named as nephew of Ram Dahin Chaudhary and in this case co-accused Chhotu Singh @ Amit Kumar Singh has been allowed pre-arrest bail by this Hon'ble Court and as such the petitioner also deserves sympathetic consideration, to which the learned A.P.P. seriously opposes.

Considering that witnesses Raju Kumar, Nandlal Paswan and Shivnath Paswan vide paragraphs 11 to 13 of the case diary have named the petitioner regarding his involvement in the commission of occurrence with specific allegation that the petitioner took away two mobiles from the hotel and as such this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, his such prayer stands rejected in connection with Dumra P.S. Case No. 131 of 2010 pending in the court of C.J.M. Sitamarhi.

(Jitendra Mohan Sharma, J)

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