

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17229 of 2015

Arising Out of PS.Case No. -672 Year- 2014 Thana -HAJIPUR District- VAISHALI(HAJIPUR)

1. Barun Kumar @ Akash Kumar Son of Lalan Prasad Singh resident of
Mohalla - Sanchi Patti Shiv Puri, P.S. Town Thana Hazipur, Distt. -
Vaishali

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manisha Singh

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

CORAM: HONOURABLE SHRI JUSTICE DHARNIDHAR JHA
ORAL ORDER

3 30-07-2015 Heard.

Let the petitioner surrender and pray for regular bail
before CJM, Vaishali at Hajipur in connection with Hajipur Town
P.S.Case No.672 of 2014 under sections 447, 380, 323 and
341/34 of the Indian Penal Code.

In the opinion of the Court if the present could not be one
of the best cases to be handled by a Magistrate, least to talk of the
CJM, there could be none. The allegations of theft are generally
added up as was submitted for enhancing the allegations and what
appears recorded by the learned Sessions Judge in his rejection
order was that there have been serious litigation between the
parties and it was contended, as such, that a written report with
serious allegations was filed before the court below so as to

ensuring that the petitioner was sent to jail.

Submission was that the allegations were absurd and improbable as the solitary accused, like, the petitioner could not dare breaking open the lock of the house of the informant at 3.45 A.M. for committing the acts complained of. The Court believes that the court below shall act as per the observation of this Court and pass an appropriate order in favour of the petitioner, if he surrenders and prays for regular bail.

With the above observation, this petition stands disposed of.

(Dharnidhar Jha, J)

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