

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28256 of 2015

Arising Out of PS.Case No. -103 Year- 2015 Thana -KHAZANIHAT District- PURNIA

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Md. Abdullah son of Md. Alauddin resident of Mohalla Madhopara, p.s.
K.Hat (Sahayak), District Purnea.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

Appearance :

For the Petitioner : Mr. Ram Prawesh Kumar

For the Opposite Party : Mr. Jitendra Kumar Roy-I(App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 30-09-2015 Heard learned counsel for the petitioner and the State.

The petitioner is apprehending his arrest in K.Hat (Sahayak) P.S.Case No.103 of 2015 instituted under Sections 461 and 379 of the Indian Penal Cod, pending in the court of CJM, Purnea.

It is alleged by the informant that he has got a mobile shop at Khiru Chowk. On 09.02.2015 he closed his shop and went to his house. On 10.02.2015 when reached at his shop he found the theft was committed in his shop by some unknown thief and the thief stolen away mobile phone 75-80 pieces and other articles.

It has been submitted on behalf of the petitioner is not named in the FIR. Nothing has been recovered from his possession. The name of the petitioner has come on the basis of

the confessional statement of a co-accused. Except the same, there is no other material against the petitioner.

On behalf of the State, it has been submitted that there is a criminal antecedent against the petitioner. Petitioner is involved in one more case which is of a similar nature and the other co-accused of the case have been granted regular bail by the court below itself.

Considering the aforesaid facts, I am not inclined to grant anticipatory bail to the petitioner and the same is rejected.

Anyhow, if the petitioner surrenders in the court below within a period of four weeks and pray for regular bail, same shall be considered by the court below on its own merit without being prejudiced by this order of rejection.

(Sudhir Singh, J)

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