

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29470 of 2015

Arising Out of PS.Case No. -139 Year- 2013 Thana -MAHESI District-
EASTCHAMPARAN(MOTIHARI)

=====

Bijali Sahani son of Ganesh Sahani

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shiva Shankar Sharma

For the Opposite Party/s : Mr. Nitya Nand Tiwary (App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

3 27-11-2015

Heard Mr. Shiva Shankar Sharma, learned counsel for the petitioner, and learned Additional Public Prosecutor for the State.

Petitioner is apprehending his arrest in a case under Section 395 of the Indian Penal Code. Petitioner is not named in the First Information Report. His name figured in the case in the confessional statement of co-accused and, later on, it also transpired that the petitioner had called with his Mobile bearing No. 9661489785 chalking out a plan to commit dacoity.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner on anticipatory bail in Mehshi P.S. Case No. 139/2013. Accordingly, the same is rejected.

The petitioner, if so advised, may surrender in the court below and make prayer for regular bail. The court below

shall consider the prayer for regular bail of the petitioner without being prejudiced by this order and taking into consideration that other similarly situated co-accused have been enlarged on regular bail.

(Prabhat Kumar Jha, J)

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