

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29803 of 2015

Arising Out of PS.Case No. -271 Year- 2014 Thana -MOTIHARI TOWN District-
EASTCHAMPARAN(MOTIHARI)

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1. Bittu Son of Khus Mohammad residents of Mohalla - Nakchhed Tola,
P.S. Town, District - East Champaran

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Md. Anis Akhtar, Advocate.

For the Opposite Party/s : Mr. A.K.Choudhary(App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 29-07-2015

The petitioner is apprehending his arrest in connection with Town Police Station Case No. 271 of 2014 for the offences instituted under Sections 436, 380 and 457 of the I.P.C.

Heard learned counsel for the petitioner and learned counsel for the State.

Prosecution case, in short, is that on 08.06.2014 she was informed that her house was set on fire. When she came there she found her house was burnt and the lock of the Trunk was broken and clothes and jewellery were missing then she suspected that three months before an altercation took place between petitioner and others who threatened that they will robbed and set her house on fire.

On behalf of the petitioner it is submitted that petitioner has been implicated in the present case due to mistake of fact. In fact, no such occurrence has taken place.

On behalf of the State it has been submitted that there is

direct allegation against the petitioner and petitioner has got criminal antecedent.

Considering the aforesaid facts and circumstances, I am not inclined to grant anticipatory bail to the petitioner. The same is rejected in connection with Town P.S. Case No. 271 of 2014, pending in the court of the learned C.J.M., Motihari, East Champaran. Anyhow, if the petitioner surrenders in the court below within a period of four weeks the same shall be considered on its own merit without being prejudiced by this order preferably on the same day.

(Sudhir Singh, J.)

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