

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30978 of 2015

Arising Out of PS.Case No. -16 Year- 2006 Thana -BATHNAHA District- SITAMARHI

Vijay Mahto @ Vijay Kumar Son of Nageshwar Mahto R/o village -
Bhataulia, P.S. Bathnaha, District - Sitamarhi

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance:

For the Petitioner/s : Mr. Ashok Kumar Jha

For the Opposite Party/s : Mr. Ram Bachan Singh (App)

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

5 09-12-2015

Heard both sides.

The petitioner apprehends his arrest in a case under
Sections 384/34 of the Indian Penal Code.

The informant made allegation that the petitioner and
others entered into his brick-kiln and took away a trailer. The
petitioner and others also demanded extortion. It is submitted that
there is a dispute with regard to the ownership of the trailer. The
trailer is still lying in the Transport Office but from perusal of the
record it appears that the case is of the year 2006 and the petitioner
moved for anticipatory bail only after nine years of the occurrence.

Considering the facts aforesaid, I am not inclined to
enlarge the petitioner on anticipatory bail in Bathnaha P.S. Case
No. 16 of 2006. 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 from this order, if possible, on the same day.

Dilip/-

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(Prabhat Kumar Jha, J)