

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38283 of 2015

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

=====

1. Anuj Sah @ Anuj Kumar, Son of Ajay Sah Resident of Village- Mirjapur
Dhobahi, P.S.- Sheohar, District- Sheohar.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Tiwari, Advocate

For the Opposite Party/s : Mr. Ganesh Pd.Singh(App)

=====

**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**

ORAL ORDER

2 24-09-2015

Heard learned counsel for the petitioner and the
State.

Petitioner is apprehending his arrest in a case
registered for the offences punishable under Sections 395 of
the Indian Penal Code.

Prosecution case is that dacoity was committed in
the house of the informant. On protest being made, the father
the informant was assaulted.

It is submitted by the learned counsel for the
petitioner that First Information Report was lodged against
unknown. The name of the petitioner sprang up on the
confession of co-accused as person purchased robbed
ornaments. It is submitted that even assuming the
accusation at best the case under Section 414 is made out.
Statement has been made in para-3 of the petition that

petitioner has no criminal antecedent. Hence, even assuming the material collected during investigation, no offence under Section 395 of the Indian Penal Code is made out against the petitioner.

The aforesaid facts constitute ground for consideration of prayer for regular bail of the petitioners, if the petitioners surrender before the learned court below within a period of six weeks from today in connection with Mahsi P.S. Case No. 139 of 2013, pending in the court of learned Chief Judicial Magistrate, Sadar, East Champaran, Motihari.

With this observation this application is disposed of.

(Dinesh Kumar Singh, J)

P.K./-

U		T	
---	--	---	--