

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40946 of 2015

Arising Out of PS.Case No. -21 Year- 2014 Thana -SARAN GRP CASE District- SARAN

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Dikki @ Dhani Lal S/o Nand Lal Sah R/o Village Pipra, Kaswa Tola ,P.S.
Darpa, District East Champaran, Motihari.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Sharda Nand Mishra

For the Opposite Party/s : Mr. Umeshanand Pandit (App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 06-10-2015

Heard both sides.

The petitioner apprehends his arrest in a case under
Sections 328, 307, 379, 411 of the Indian Penal Code.

The petitioner is not named in the F.I.R. but during
the course of investigation one Sonu was arrested and he
confessed his guilt and disclosed the name of the petitioner and
others. The stolen article is also said to have been recovered from
the possession of Sonu. It is submitted that save and except the
confessional statement, there is no other material to show the
involvement of the petitioner but, on perusal of the record, it
appears that the petitioner has got criminal antecedents and he is
accused in as many as two cases of similar nature.

Considering the facts aforesaid, I am not inclined to
enlarge the petitioner on anticipatory bail in Muzaffarpur Rail P.S.

Case No. 21/14. 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 taking into consideration that similarly situated accused person, namely, Ravi Kumar Singh, has already been enlarged on bail vide order passed in Cr. Misc. No. 33263/2014 and the case of the petitioner stands on the same footing and the learned court below shall dispose of the petition on the same day.

(Prabhat Kumar Jha, J)

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