

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47341 of 2014

Arising Out of PS.Case No. -2 Year- 2014 Thana -DUMRIAGHAT District-
EASTCHAMPARAN(MOTIHARI)

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1. Pitamber Pandey son of late Sudhiste Pandey Resident of village -
Rampur Khajuria, P.S. - Dumariya Ghat, District - East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar No.Iii

For the Opposite Party/s : Mr. Dr. Rabindra Kumar (App)

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL
ORAL ORDER

5 02-07-2015

Heard the Counsel for the petitioner and the State.

The petitioner apprehends his arrest in Dumariaghat
P.S. Case No. 2 of 2014 registered under sections 413, 414/34 of
the Indian Penal Code.

According to the prosecution case, the petitioner was
hand in glove with the accuseds who were involved in committing
theft of tractor and disposal thereof. On the confession of the
Sushil Kumar Singh, three tractors were recovered at the sahan of
the house of the petitioner when the house of the petitioner was
searched. Six persons were apprehended by the police but the
petitioner fled away. The allegation is that those tractors were
stolen one and, as such, the petitioner clearly involved in the
commission of the crime.

Contention of the petitioner is that the two tractors belong to some other person and was/were lying at the Sahan. He has no criminal antecedent.

Learned APP, on the other hand, after going through the case diary, states that during the investigation, several witnesses have supported the prosecution case.

This Court finds from the impugned order reference of several paragraphs of the case diary wherein incriminating materials were found against the petitioner.

Taking into account the aforesaid, I am not satisfied that the petitioner deserves privilege of anticipatory bail. Prayer is rejected. Petitioner may surrender and seek bail.

(Kishore Kumar Mandal, J)

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