

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18151 of 2015

Arising Out of PS.Case No. -118 Year- 2010 Thana -KHAIRA District- SARAN

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1. Mohan Sah Son of Bishnudeo Sah Resident of village - Belhari, Police Station - Taraiya, District - Saran at Chapra

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jay Prakash Sharma

For the Opposite Party/s : Mr. Rajendra Nath Jha(App)

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

3 08-09-2015 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks pre-arrest bail in connection with Khaira P.S. Case No. 118 of 2010 registered for the offences punishable under sections 413 and 414 of the Indian Penal Code.

According to the prosecution case, stolen Bolero vehicle was recovered from one Pappu Kumar Singh and on interrogation he disclosed that he along with the petitioner and accused Arvind Singh have purchased the vehicle from Patna. However, he failed to disclose the name of the persons from whom the vehicle has been purchased. He also disclosed that the petitioner and Arvind Singh could disclose the name of the person from whom the stolen vehicle was purchased.

It is contended by the learned counsel for the petitioner that the main accused Pappu Kumar Singh and another co-accused Arvind Singh have been granted bail by the court below. In that view of the matter, he submits that the petitioner is entitled to be released on bail in exercise of power conferred upon this Court under section 438 of the Code of Criminal Procedure.

Learned counsel for the State has opposed the prayer for bail.

Having heard the parties and considering the nature of allegation, I am not inclined to grant anticipatory bail to the petitioner. Accordingly, the prayer for anticipatory bail is rejected.

The petitioner may surrender and seek bail before the court below, which shall be considered without being prejudiced by the order passed by this Court.

(Ashwani Kumar Singh, J)

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