

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29711 of 2014

Arising Out of PS.Case No. -147 Year- 2013 Thana -NATHNAGAR District- BHAGALPUR

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1. Right Singh @ Right Babu @ Rite Babu @ Sunil Kumar Singh Son of
Shri Shailendra Singh Resident of Village - Babhangama, P.S. - Bihpur,
District - Bhagalpur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Purushottam Kumar Das

For the Opposite Party/s : Mr. Nand Kishor Pd.(App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

2 13-01-2015 Heard learned counsel for the petitioner and learned
counsel representing the State.

Petitioner apprehends his arrest in connection with
Nathnagar P.S. Case No. 147 of 2013 registered for the offences
punishable under Sections 399 and 402 of the Indian Penal Code.

Allegedly, acting on a tip off, the informant found
the petitioner and others sitting in a Bolero vehicle bearing
registration no. BR 10J-9316 and beside that another motorcycle
bearing registration no. BR10E-8020 was also found and on
challenge being given by the Police the petitioner and some others
attempted to escape but the informant and Police personnel
arrested three of them who disclosed their names and they have

disclosed that co-accused Manoj Kumar husband of the owner of the vehicle called them for committing dacoity.

Submission is that the petitioner was not at the spot and the petitioner has falsely been implicated at the behest of one Lal Bahadur Singh and name of the petitioner was taken by the co-accused who were arrested on the spot to which the learned APP opposes by submitting that driving license and identity proof of the petitioner was recovered from the vehicle and as such the petitioner was the driver of the vehicle in question.

Considering the fact that driving license and identity proof of the petitioner was recovered from the vehicle in question, this Court is not persuaded to grant the privilege of pre-arrest bail to the petitioner, accordingly, his such prayer stands rejected.

However, in case and if so advised, the petitioner surrenders and seeks regular bail before the court below, then his prayer shall be considered on its own merit without being prejudiced by the present order.

(Jitendra Mohan Sharma, J)

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