

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19582 of 2015

Arising Out of PS.Case No. -3 Year- 2013 Thana -BHAGWAN BAZAR District- SARAN

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1. Munna Prasad @ Munna Kumar @ Munna @ Chunariya Son of Late
Dharam Nath Prasad resident of Mohalla- Ratanpura Ojha Toli, Police
Station- Bhagwan Bazar, District- Saran

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Binod Singh

For the Opposite Party/s : Mr. Surendra Prasad Singh (App)

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

2 25-06-2015 Heard learned counsel for the petitioner as well as

learned counsel for the State.

In this application for anticipatory bail the petitioner apprehends his arrest for the offences punishable under sections 379, 461 and 411 of the I.P.C in connection with Bhagwan Bazar P.S. Case No. 03 of 2013 pending in the court of Sri Brajesh Kumar, J.M. 1st Class, Saran.

Allegedly, the co-accused Bhaklu @ Deepak Bansfor was caught and from his possession two mobiles were recovered and he stated the name of the petitioner also that they had stolen the same after cutting shutter of the shop. The shopkeeper had identified the recovered mobiles and further has stated that other

mobiles were also stolen away.

Submission is of false implication and that nothing has been recovered from possession of the petitioner and only on the basis of name taken by the co-accused the petitioner is being searched for arrest and as such he deserves sympathetic consideration, to which the learned A.P.P. opposes.

Considering that co-accused was caught after chase and he has stated the name of the petitioner also regarding his participation in the crime and as such finding it not a fit case for pre-arrest bail, the petitioner is directed to surrender in the court below and seek regular bail then his prayer for regular bail shall be considered on its own merits taking into consideration that the petitioner has got no criminal antecedent without being prejudiced by this order.

Accordingly, this Criminal Miscellaneous is hereby disposed of.

(Jitendra Mohan Sharma, J)

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