

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24864 of 2015

Arising Out of PS.Case No. -187 Year- 2014 Thana -MAHARAJGANJ District- SIWAN

Ashraf Khan

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Pandey

For the Opposite Party/s : Mr. Durgesh Nandan(App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 10-07-2015

Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 394 and 302/34 of the Indian Penal Code and Section 27 of Arms Act.

The prosecution case is that three persons went to petroleum dealership of the informant and took petrol in the motorcycle and when the cost of the petrol was demanded they fired as a result one person died, subsequently the accused persons robbed mobile and cash. Though, the FIR was registered against three unknown persons but subsequently robbed mobile was recovered from one Rozy Khatoon who suggested that the alleged mobile was given to her by this petitioner. On recovery of the alleged mobile a separate case was registered under Section 414 of the IPC in which the petitioner has also been made accused.

It is submitted by learned counsel for the petitioner that only on the statement of the co-accused, the petitioner has been roped in the present case as the alleged mobile has not been recovered from the petitioner.

The aforesaid facts constitute good ground for consideration of prayer for regular bail.

Let the learned court below consider the prayer for regular bail of the petitioner if he surrenders within a period of six weeks in connection with Bhagwanpur P.S. Case No. 187 of 2014 pending in the court of learned JM, 1st Class, Siwan.

Accordingly, the application is disposed of.

(Dinesh Kumar Singh, J)

Amrendra/-

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