

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13720 of 2016

Arising Out of PS.Case No. -67 Year- 2010 Thana -MOTIPUR District- MUZAFFARPUR

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1. Ashok Kumar Rai Son of Bijali Rai
2. Ajay Kumar Rai Son of Jagarnath Rai
3. Baua Lal Rai @ Sanjay Rai @ Baua Lal Son of Binda Rai All residents
of Village - Morsandi, P.S. - Motipur, District - Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Hari Kishore Thakur

For the Opposite Party/s : Mr. Satyendra Nr. Singh (App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

4 27-06-2016

Heard both sides.

The petitioners apprehend their arrest in a case under
Section 341, 323, 379, 427, 504, 34 of the Indian Penal Code and
under Section 25(1-B), 35 of the Arms Act.

The informant alleged that while he was coming
about 15-20 persons surrounded him and snatched his money and
mobile. In the meantime, a vehicle came and in the light of vehicle
the informant identified the petitioners. A country made gun was
also left at the place of occurrence when the accused persons
began to flee.

It is submitted that petitioners are villagers of the
informant and they have falsely been implicated in the case.

The case is of the year 2010 but it appears that there is specific allegation that petitioners snatched money and mobile from the possession of the informant.

Considering the facts aforesaid, I am not inclined to enlarge the petitioners on anticipatory bail. Accordingly, the same is rejected.

If the petitioners surrender in the court below, i.e., learned S.D.J.M., West, Muzaffarpur in Motipur P.S. case No. 67 of 2010, learned court below shall consider the prayer for regular bail of the petitioners on its own merit without being prejudiced from the order of this court.

(Prabhat Kumar Jha, J)

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