

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15703 of 2016

Arising Out of PS.Case No. -136 Year- 2008 Thana -JOKIHAT District- ARRARIA

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Basudeo Choudhary Son of Bhola Choudhary Resident of Village-Dabhara,
P.S.-Jokihat, District-Araria.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 03-05-2016

Heard learned counsel for the petitioner and the State.

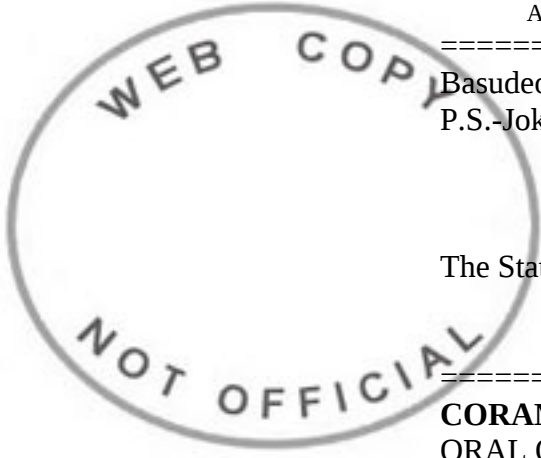
The petitioner is apprehending his arrest in a case instituted under Sections 323, 324, 452, 380 and 376/34 of the Indian Penal Code.

Allegation against the petitioner is that he along with other accused persons had committed dacoity in the house of the informant and also assaulted them.

It is submitted on behalf of the petitioner that he has got no criminal antecedent. He has falsely been implicated in the present case. There is no independent witness to support the prosecution case. Other co-accused have been granted anticipatory bail vide order dated 20.7.2010 passed in Cr. Misc. No. 9714 of 2010.

On behalf of the State, it is submitted that petitioner is named in the F.I.R. and other co-accused have been granted anticipatory bail in the year 2010. No proper explanation has been given by the petitioner for such inordinate delay in moving for anticipatory bail.

Considering the aforesaid facts and circumstances, I am not inclined to grant anticipatory bail to the petitioner, same is



rejected.

Any how, if petitioner surrenders in the court below, i.e., learned C.J.M., Araria, in connection with Jokihat P. S. Case no. 136 of 2008 within a period of six weeks from the date of receipt of a copy of this order and prays for regular bail, same shall be considered and disposed of taking into account that other co-accused have been granted bail preferably on the same day without being prejudiced by this order.

(Sudhir Singh, J)

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