

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28726 of 2016

Arising Out of PS.Case No. -231 Year- 2015 Thana -BARAHIYA District- LAKHISARAI

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Arvind Singh @ Arvind Pd. Singh, Son of Late Ram Chandra Singh,
resident of Village- Barahiya, P.S. Barahiya, District- Lakhisarai.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Jai Prakash Singh, Advocate.

For the Opposite Party : Mr. Chandrasen Prasad Singh, APP.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 08-09-2016 Heard both sides.

The petitioner apprehends his arrest in Barahiya P.S. Case No. 231 of 2015 registered for the offences punishable under Sections 457 and 380 of the Indian Penal Code. Later on Section 411 of the Indian Penal Code was added.

The FIR is against unknown. Name of the petitioner figured in the case in the confessional statement of co-accused Gautam Kumar.

It is submitted that nothing has been recovered from possession of the petitioner. The petitioner and his two sons have falsely been implicated in the case.

It appears that Gautam Kumar the co-accused has confessed his guilt and stolen articles were recovered from his

house but no stolen article was recovered from the house of the petitioner. Two sons of the petitioner have already been granted regular bail.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner above named on anticipatory bail in Barahiya P.S. Case No. 231 of 2015, pending in the court of Chief Judicial Magistrate, Lakhisarai. Accordingly, the same is rejected.

However, the petitioner, if so advised, may surrender before the court below within four weeks from the date of receipt/production of a copy of this order and pray for regular bail, his prayer shall be considered on its own merit without being prejudiced by this order and taking into consideration that similarly situated co-accused have already been granted bail and dispose of the bail petition preferably on the same day.

(Prabhat Kumar Jha, J.)

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