

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46915 of 2015

Arising Out of PS.Case No. -97 Year- 2013 Thana -PHULWARIA District- GOPALGANJ

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Pintoo Sahni @ Pintu Sahni, S/o Kishor Sahni, Resident of Village -
Bharwaliya Tola, Marwan, P.S. - Sewarahia, Distreict – Kushinagar (U.P.).

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

3 28-01-2016 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner apprehends his arrest in connection with
Pulwariya P.S. Case No.97 of 2013 registered under Section 379
of the Indian Penal Code, pending in the court of the Chief
Judicial Magistrate, Gopalganj.

Regarding the theft of the Hero Honda Motorcycle of the
informant bearing Registration No.BR-33H-0371, the present case
was lodged against unknown on the written statement of the
informant Dayanand Mishra.

Learned counsel appearing on behalf of the petitioner
submits that the petitioner is not named in the F.I.R. The name of

the petitioner has come in course of investigation in the confessional statement of the co-accused.

It appears from the impugned order dated 12.08.2015 passed in A.B.P. No.1393 of 2013 whereby the prayer of the petitioner for grant of anticipatory bail has been rejected by the court of District and Sessions Judge, Gopalganj, that the theft motorcycle was recovered on the basis of the confessional statement of the one Satyendra Sahani in Gopalpur P.S. Case No.122 of 2013. The aforesaid Satyendra Sahani also disclosed the name of this petitioner and one Nijammuddin stating their involvement in the commission of the alleged offence.

Having considered the facts and circumstances of the case and the nature of allegation against the petitioner, I am not inclined to grant anticipatory bail to the petitioner. Accordingly, the prayer of the petitioner for grant of anticipatory bail stands rejected. The petitioner is directed to surrender before the trial court within four weeks from today and pray for regular bail, which would be considered by the trial court in accordance with law without being prejudiced by the order of this Court.

(Rajendra Kumar Mishra, J)

P.S./-

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