

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47597 of 2016

Arising Out of PS.Case No. -39 Year- 2016 Thana -BIRPUR District- SUPAUL

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Md. Azad @ Tanwir, son of Isha Ali, resident of village - Nizam Chowk,
Ward No. 05 Police Station - Birpur, District - Supaul.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Kamal Kishore Singh

For the Opposite Party/s : Mr. Humayou Ahmad Khan

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

3 23-11-2016 Heard both sides.

The petitioner prays for grant of Anticipatory Bail in
Birpur P.S. Case No. 39 of 2016, registered for the offence
punishable under Sections 457, 380 & 411/34 of the Indian Penal
Code.

The she-buffalo of the informant was allegedly
recovered from Md. Rahmat Ali, who was seen tending the same.
The said Md. Rahmat Ali is said to have disclosed the name of
the petitioner as his associate.

Contention of the petitioner is that co-accused Md.
Rahmat Ali @ Rahmat Ali has been granted regular bail and
petitioner deserves anticipatory bail.

On the other hand, learned A.P.P. submits that there

is some evidence against the petitioner. The petitioner should also surrender before court below and pray for regular bail.

In my considered view, it is not a fit case for grant of Anticipatory bail. The prayer is accordingly rejected. The petitioner is directed to surrender before the court below and seek regular bail, which shall be considered and disposed of on its own merit in accordance with law.

(Kishore Kumar Mandal, J)

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