

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.44014 of 2016

Arising Out of PS.Case No. -21 Year- 2016 Thana -SAHEBGANJ District- MUZAFFARPUR

Naresh Sahani @ Ram Naresh Sahani Son of Naga Sahani Residnt of village-
Bairia, Police Station- Sahebganj, District- Muzaffarpur

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Upendra Kumar Chaubey, Advocate

For the Opposite Party/s : Mr. H. A. Khan, APP

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH

ORAL JUDGMENT

Date: 06-10-2016

Heard learned counsel for the parties.

The petitioner seeks pre-arrest bail in Sahebganj P.S.
Case No. 21 of 2016 dated 28.01.2016 corresponding to G.R. No. 198
of 2016 instituted under Section 414 of the Indian Penal Code.

The allegation against the petitioner is that he was the
person who was arranging for a buyer with regard to a looted
motorcycle.

Learned counsel for the petitioner submits that he has not
been caught with any stolen or looted article and only on the
statement of the arrested person he has been implicated. It is further

submitted that the police has also implicated him in two other cases and, thus, one after the other, he is being made accused in cases by the police without there being any substantial evidence against him.

Learned A.P.P. opposes the prayer and submits that besides two other cases, there is no material to lend credence to the defense on behalf of the petitioner that the police would falsely implicate him and further there is also no reason to disbelieve the statement made by the co-accused who has been arrested, at this stage.

Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, the Court is not inclined to enlarge the petitioner on anticipatory bail.

The application, accordingly, stands dismissed.

However, in the event the petitioner surrenders and prays for regular bail before the court below within one month from today, the same shall be considered on its own merits, in accordance with law, without being prejudiced by the present order.

(Ahsanuddin Amanullah, J)

Anjani/-

AFR/NAFR	NAFR
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