

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.40911 of 2016

Arising Out of PS.Case No. -79 Year- 2016 Thana -BIHIYA District- BHOJPUR

1. Nand Kumar Yadav son of Sri Dashrath Yadav resident of Village - Kalyanpur, P.S. - Bihiya, District - Bhojpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravindra Kumar

For the Opposite Party/s : Mr. Uday Chand Prasad

**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER**

2 23-09-2016 Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Bihiya Police Station Case No. 79 of 2016, disclosing offences under Section 379 of the Indian Penal Code.

From the materials on record, it appears that on the basis of confessional statement of co-accused, Jitendra Yadav, before the Police, name of the present petitioner surfaced. On the basis of said confessional statement, stolen motorcycle was recovered. It also appears that regular bail filed by the said Jitendra Yadav has been rejected by this Court vide order, dated 05.08.2016, passed in Criminal Misc. No. 30437 of 2016.

Considering the above, I am not inclined to grant the petitioner privilege of anticipatory bail.

This application for anticipatory bail, is hereby, rejected.

The petitioner, Nand Kumar Yadav, is directed to surrender before the Court below within a period of four weeks from today and seek regular bail, if so advised. If he does so, his application for regular bail shall be considered by the learned Court below on its own merit without being prejudiced by rejection of present application for grant of anticipatory bail.

(Chakradhari Sharan Singh, J.)

Prabhakar Anand/-c

U	✓	T	✓
---	---	---	---