

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58407 of 2015

Arising Out of PS.Case No. -416 Year- 2015 Thana -SAHARSA District- SAHARSA

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1. Moinuddin @ Md.Moinuddin son of Late Nawab Singh
2. Md. Washim son of Md. Abbas, both are resident of Mohalla - Fakir
Tola Gangjala, Ward No. 16, P.S. and District - Saharsa

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. R.C.Thakur, Advocate
For the Opposite Party/s : Mr. Dinesh Singh, APP
For the informant : Mr.Ramakant Sharma, Sr.Advocate
Mr;Amarnath Jha, Advocate

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

4 18-02-2016

Heard the parties.

The petitioner no.1 Moinuddin alias Md. Moinuddin apprehends his arrest in a criminal prosecution registered under Sections 436, 452, 380, 379 and some other allied offences under the Indian Penal Code.

Taking into consideration the fact that the petitioner no.1 is specifically named in the first information report vide Annexure-1 as an accused and specific allegation against him is regarding his participation in the crime in question and further taking into consideration the fact that the petitioner is accused in several other criminal cases, besides the present one, which has been mentioned in the counter affidavit filed on behalf of the informant and has not been disputed by the learned counsel for the petitioner, this Court is not inclined to accede to the prayer made on behalf of the petitioner no.1 for grant of anticipatory bail. Accordingly, his prayer for anticipatory bail in connection with Saharsa Sadar P.S.Case 416 of 2015 pending in the court of the

learned Chief Judicial Magistrate, Saharsa is rejected.

It is to be noted here that the prayer for anticipatory bail made on behalf of the petitioner no.2 Md.Wasim had already dismissed as withdrawn by order dated 27.01.2016, as he had been apprehended by the police.

However, if the petitioner no.1 surrenders in the court below within a period of four weeks from today and applies for regular bail, then the same shall be considered and decided on its own merits without being prejudiced by the present order.

(Birendra Prasad Verma, J)

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