

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35714 of 2016

Arising Out of PS.Case No. -161 Year- 2015 Thana -RAJAUN District- BANKA

1. Mithun Tanti Son of Badri Tanti Residen of village- Tardih, P.S.-
Amarpur, District- Banka

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Praveen Kumar, Advocate

For the Opposite Party/s : Mr. Sri Chandra Bhushan Prasad

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH
ORAL ORDER

2 02-09-2016

Heard learned counsel for the petitioner and the
State.

Petitioner is apprehending his arrest in a case
registered for the offences punishable under Section 394 of
the Indian Penal Code.

The prosecution case is that the informant's mobile
and motorcycle were robbed by three motorcycle born
miscreants. Subsequently, the name of the petitioner sprang
up on confession of co-accused Arvind Yadav.

It is submitted by the learned counsel for the
petitioner that as per own confession of Arvind Yadav, at the
time of occurrence, on the motorcycle three persons used to
travel on motorcycle it was himself, Bipin Yadav and Rajesh
Yadav. Arvind Yadav is inimical terms with the petitioner since
the petitioner was not allowing the Arvind Yadav to use his

motorcycle due to his criminal activities. Even assuming the confession, it only transpired that petitioner was not accompanied of Arvind Yadav prior to the actual incident of robbing. Statement has been made in para-3 of the petition that petitioner has no criminal antecedent.

The aforesaid facts constitute ground for consideration of prayer for regular bail of the petitioner, if the petitioners surrender before the learned court below within a period of six weeks from today in connection with Rajoun P.S. Case No. 161 of 2015, pending in the court of learned Chief Judicial Magistrate, Banka.

With this observation this application is disposed of.

(Dinesh Kumar Singh, J)

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