

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50885 of 2016

Arising Out of PS.Case No. -333 Year- 2015 Thana -KISHANGANJ District- KISANGANJ

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Zahirul son of Late Raisuddin resident of Banwari Ptwa, Police Station -
Goalpokhar, District - Uttar Dinajpur (West Bengal).

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Dilip Kumar Singh

For the Opposite Party/s : Mr. Umeshnand Pandit

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 20-12-2016 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

The petitioner is apprehending his arrest in connection
with Kishanganj P.S. Case No. 333 of 2015 for the offence
instituted under Section 394 of the Indian Penal Code.

It is alleged that three motorcycle borne criminals
looted bags from the informant containing cheque amounting to
Rs. 18, 64, 000/- on the point of pistol.

It has been submitted on behalf of the petitioner that the
petitioner has got no criminal antecedent. There is no allegation
of tampering of witnesses alleged against the petitioner. He has
falsely been implicated in the present case. There is no recovery
of any incriminating article from the possession of the petitioner.



On behalf of the State, it has been submitted that the petitioner is not named in the F.I.R. His name has come on the basis of confessional statement of co-accused namely Md. Naiyeem. He has not been put on Test Identification Parade to ascertain his implication in the present case.

Considering the aforesaid facts and circumstances, I am not inclined to extend the privilege of anticipatory bail to the petitioner. The same is rejected in connection with Kishanganj P.S. Case No. 333 of 2015, pending in the Court of learned C.J.M., Kishanganj.

Anyhow if the petitioner surrenders in the court below within a period of six weeks from today, the same shall be disposed of on the same day, if possible, on its own merit without being prejudiced by this order.

(Sudhir Singh, J.)

Amit/-

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