

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10685 of 2016

Arising Out of PS.Case No. -193 Year- 2015 Thana -DURGAWATI District- BHABHUA
(KAIMUR)

=====

1. Mahendra Kumar Son of Layak Singh, R/o Village - Omnagar, P.S. -
Oraiya, District - Oraiya, Up at present B. 127, Naviur Nagin, P.S. -
Akbarpur, District - Kanpur (U.P.)

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan

For the Opposite Party/s : Mr. P.N.Pandit(App)

=====

**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**

ORAL ORDER

2 10-03-2016 Heard learned counsels for the petitioner and the

State.

The petitioner is apprehending arrest in a case
registered for the offences punishable under sections 395, 397 and
412 of the Indian Penal Code.

The prosecution case is that the accused persons
named in the FIR and 5-6 others came on a truck, tied the hands of
the informant and his brother and took away 120 sheep on the
truck. Subsequently, the sheep were recovered from the truck near
Kanpur when the driver confessed that the petitioner being owner
of the truck is also involved in the commission of offence.

It is submitted by the learned counsel for the

petitioner that this is not in dispute that the petitioner was not present when the sheep were being loaded on the truck. Statement has been made in paragraph 3 of the petition that the petitioner has no criminal antecedent.

The aforesaid facts constitute ground for consideration of the prayer for regular bail of the petitioner by the learned court below in case the petitioner surrenders within six weeks from today in connection with Durgawati P.S. Case No. 193 of 2015 pending in the court of learned CJM, Kaimur at Bhabua.

This application is disposed of with the aforesaid observation/direction.

(Dinesh Kumar Singh, J)

Anil/-

U		T	
---	--	---	--