

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.16460 of 2016**

Arising Out of PS.Case No. -156 Year- 2015 Thana -GARKHA District- SARAN

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Santosh Rai @ Santosh Kumar Rai Son of Satya Narain Rai R/o Village  
Makhdumpur, P.S. Chapra Mufassil, District Saran at Chapra

.... .... Petitioner

Versus

The State of Bihar

.... .... Opposite Party

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**Appearance :**

For the Petitioner : Mr. Rajeev Kumar, Advocate.

For the Opposite Party : Mr. Md. Ashlam Ansari (App)

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA**  
**ORAL ORDER**

2      13-05-2016                      Heard both sides.

The petitioner apprehends his arrest in Garkha P.S.  
Case No. 156 of 2015, registered for the offence punishable under  
Section 395 of the Indian Penal Code.

Learned counsel for the petitioner submits that the  
petitioner is not named in the FIR. Name of the petitioner figured  
in the case on mere suspicion and in the statement of co-accused.  
Save and except no material is collected against the petitioner.

It appears that during course of investigation, name of  
the petitioner figured in the case in confessional statement of co-  
accused.

Considering the facts aforesaid, I am not inclined to  
enlarge the petitioner above named on anticipatory bail in Garkha

P.S. Case No. 156 of 2015, pending in the court of the learned Additional Chief Judicial Magistrate 5<sup>th</sup>, Saran at Chapra. Accordingly, the same is rejected.

If the petitioner surrenders in the court below, the learned court below shall consider the prayer for regular bail of the petitioner taking into consideration that other accused persons have already been granted regular bail.

**(Prabhat Kumar Jha, J.)**

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