

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12708 of 2016

Arising Out of PS.Case No. -23 Year- 2004 Thana -CHAPRA MUFFASIL District- SARAN

1. Jai Prakash Singh, Son of Ramayodhya Singh @ Ramayodhya Prasad,
resident of Village- Bedwalia, PS- Bheldi, District- Saran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jitendra Kumar

For the Opposite Party/s : Mr. M.Dayal (App)

CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

2 01-04-2016 Heard counsel for the petitioner and Mr. Dayal APP
for the State.

Apprehending his arrest in connection with Chapra
Muffasil P.S. case no. 23 of 2004, registered under Sections
457,380 and 411 of the IPC, the application is filed for grant of
anticipatory bail.

In the night of 06.02.2004 the garage of the
informant was broken open and two motorcycles parked therein
were stolen. The police submitted charge sheet showing the
petitioner absconder. It appear, in course of investigation,
materials surfaced implicating the petitioner in the crime
inasmuch as on the confessional statement the motorcycle(s) was
recovered from the house of the petitioner.

Learned counsel submits that he was not cognizant of the case and as such he could not take steps either to surrender or seek bail from the Court. Recovery, in fact, was not made from the house of the petitioner.

Learned APP for the State, while opposing the prayer, has submitted that it is an old case. From the record of the Court below, it transpires that the petitioner evaded the process of the Court and was, in fact, declared absconder.

Considering the facts, I am not persuaded to extend the privilege of anticipatory bail to the petitioner. Prayer is rejected. Petitioner may surrender and seek regular bail.

(Kishore Kumar Mandal, J)

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