

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30760 of 2016

Arising Out of PS.Case No. -37 Year- 2016 Thana -BASANTPUR District- SIWAN

1. Govind Singh
2. Arbind Singh Both S/o Late Mankeshwar Singh R/o vill-Bithuna P.S.
Basantpur,District-Siwan

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Pandey

For the Opposite Party/s : Mr. Sri Akhileshwar Dayal

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 28-07-2016 Heard learned counsel for the petitioner and the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Section 379 of the Indian Penal Code Act.

On theft being committed of the solar plate of the water tank, the F.I.R. was lodged against the petitioners and others since they used to give threaten to the informant who used to work as operator in the public water tank where the solar plate was fixed.

It is submitted by learned counsel for the petitioners that only on suspicion, the accusation has been levelled. The petitioners were on inimical terms with the informant from before

as the father of the informant earlier lodged Basantpur P.S. Case No. 12/81 against accused persons levelling accusation under Sections 302 of the IPC wherein petitioners have been acquitted.

Considering the nature of accusation, this Court is not inclined to grant anticipatory bail to the petitioner.

However, considering the fact that impugned order reflects that after going through the case diary, learned Sessions Judge has recorded that there is no eye-witness to the occurrence and nothing has been recovered from the petitioners, it is a case for consideration of regular bail.

Let the learned court below consider the prayer of regular bail of the petitioners if they surrender within a period of six weeks in connection with Basantpur P.S. Case No. 37 of 2016 pending in the court of learned CJM, Siwan.

Accordingly, the application is disposed of.

(Dinesh Kumar Singh, J)

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