

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40907 of 2016

Arising Out of PS.Case No. -138 Year- 2016 Thana -JAGDIHSPUR District- BHOJPUR

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Mantosh Kumar Gode son of Sri Arjun Sah @ Arjun Gode, resident of
village - Basaiya, Police Station - Agiaon in the district of Bhojpur.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prabhu Narayan Sharma, Advocate

For the Opposite Party/s : Mr. Sri Mukesh Kumar Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 26-09-2016 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application for grant of anticipatory bail arises out
of Jagdishpur P.S. Case No. 138 of 2016, disclosing offence under
Sections 394 and 414 of the Indian Penal Code.

Since the petitioner is an accused in a case under
Sections 394/414 of the Indian Penal Code and his name has
surfaced on the basis of statement of a co-accused Niraj Kumar
made immediately after he was apprehended by the Police, I am
not inclined to grant the petitioner privilege of anticipatory bail
considering the seriousness of the offence.

Learned Senior Counsel appearing on behalf of the
petitioner has submitted that he should be allowed anticipatory bail

since he has no criminal antecedent and his implication is based merely on statement of co-accused. I have not found the said submission to be convincing for grant of anticipatory bail.

Accordingly, this application for anticipatory bail is, hereby, rejected.

The petitioner is directed to surrender before the court below within two weeks from today and seek regular bail, if so advised. If he does so, his application for regular bail shall be considered on its own merit without being prejudiced by rejection of present application for grant of anticipatory bail.

(Chakradhari Sharan Singh, J)

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