

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3496 of 2016

Arising Out of PS.Case No. -61 Year- 2013 Thana -CHAINPUR District- BHABHUA (KAIMUR)

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Salim Khan Son of late Yusuf Khan Resident of village Manpur(Biur) P.S.
Chainpur, District Kaimur at Bhabua.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pawan Kumar Singh

For the Opposite Party/s : Mr. Iftekhar Mahmood(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

02/ 21-01-2016

Heard learned counsels for the petitioner

and the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 325, 307, 504, 427, 295A, 353, 436, 186 and 188 of the Indian Penal Code.

The prosecution case is that the FIR named accused persons including unknown after forming unlawful assembly armed with deadly weapon and firearm came, robbed the shop of the articles from the shop keepers and set ablaze some of the vehicles.

The name of the petitioner transpired subsequently. The petitioner has been charge-sheeted. The

impugned order reflects that the petitioner has been declared absconder.

It is submitted by learned counsel for the petitioner that the shop of the petitioner was also set ablaze by the miscreants and petitioner was not named in the FIR. Moreover, similarly situated co-accused Shakil Khan has been granted anticipatory bail vide Cr. Misc. No. 29592 of 2014.

Since the impugned order reflects that the petitioner has been declared absconder, this Court is not inclined to grant anticipatory bail to the petitioner, but keeping in view of the above facts, it is a case for consideration of prayer for regular bail, if the petitioner surrenders before the learned court below within a period of six weeks from today in connection with Chainpur P.S. Case No. 61 of 2013 pending in the court of learned Chief Judicial Magistrate, Kaimur at Bhabua.

With the aforesaid observation, this application is disposed of.

(Dinesh Kumar Singh, J)

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