

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26739 of 2016

Arising Out of PS.Case No. -262 Year- 2014 Thana -CHAPRA MUFFASIL District- SARAN

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Ashok Nut, son of Butai Nut, resident of Village- Lal Bazar, P.S. Chapra
Mufassil, District Saran.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Singh

For the Opposite Party/s : Mr. Sri Mithilesh Kumar Khare

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 12-07-2016

At the very outset, learned counsel for the petitioner submits that some typographical mistake has occurred in paragraph-3 of the petition. He submits that in stead of Sections 399 / 402, Sections 300/4-2 has been typed and, as such, he makes a prayer for making correction.

The prayer is allowed.

It may be done in course of the day.

Heard Sri Mukesh Kumar Singh, learned counsel for the petitioner and Sri M.K.Khare, learned Addl. Public Prosecutor.

The sole petitioner, who is in custody since 25.05.2016 in Chapra Mufassil P.S. Case no.262/2014 registered for the offence under Sections 395 and 397 of the Indian Penal

Code, has prayed for grant of bail mainly on the ground that in identical situation, one of the co-accused, namely, Wazir Nut has been granted bail vide order dated 02.03.2016 passed in Cr.Misc.No.9949 of 2016. He submits that the petitioner's name has transpired only on the basis of conversation with the accused persons at the time of committing dacoity. Save and except the said allegation, according to learned counsel for the petitioner, there is no material on record.

Besides hearing learned counsel for the parties, I have also perused the materials available on record. After perusing paragraph-3 of the petition, it is evident that the petitioner is accused in other cases also relating to commit dacoity. In view of facts and circumstances, the petitioner's case cannot be equated with the case of other accused, who has been granted bail.

Accordingly, the prayer for bail of the petitioner stands rejected.

(Rakesh Kumar, J)

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