

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51669 of 2016

Arising Out of PS.Case No. -23 Year- 2016 Thana -BHAGALPUR GRP CASE District-
BHAGALPUR

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Md. Baba @ Babar @ Md. Babar, Son of Md. Guddosh Ansari, Resident of
Mohalla- Shahbaj Nagar, Moulana Chak, P.S.- Mojahidpur, District-
Bhagalpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Dr. Manoj Kumar, Advocate

For the Opposite Party/s : Mr. Nityanand Tiwari, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 06-12-2016 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in Bhagalpur
(Rail G.R.P.) P.S. case No.23 of 2016 registered under Sections
395 and 397 of the Indian Penal Code, pending before the court of
Rail Judicial Magistrate, Bhagalpur.

The allegation is that 4-5 unknown miscreants on the
point of country made katta snatched bags, purse, I. card, aadhar
card, certificates and other articles and mobile phone of the
passengers of the train and fled away.

It has been submitted on behalf of the petitioner that the
petitioner has got no criminal antecedent. There is no allegation of



tampering of witnesses alleged against the petitioner. The petitioner is not named in the F.I.R. His name has come on the basis of confessional statement of the co-accused. There is no recovery of any looted article from the possession of the petitioner.

On behalf of the State, it is submitted that the petitioner is not named in the F.I.R. The participation of the petitioner can only be ascertained once he has been put on Test Identification Parade after the surrender.

Considering the aforesaid facts and circumstances, I am not inclined to extend the privilege of anticipatory bail to the petitioner. Prayer for anticipatory bail is rejected.

Anyhow if the petitioner surrenders in the court below within a period of six weeks from today, the same shall be considered on its own merit without being prejudiced by this order.

(Sudhir Singh, J)

Narendra/-

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