

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51640 of 2016

Arising Out of PS.Case No. -442 Year- 2013 Thana -SIWAN MUFFASIL District- SIWAN

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Shailendra Yadav, Son of Raja Yadav, Resident of village - Harihas, P.S.
Hussainganj, District - Siwan

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ramchandra Sahni, Advocate

For the Opposite Party/s : Mr. Rana Randhir Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 06-12-2016 Learned counsel for the petitioner is permitted to make necessary correction in paragraph 1 of the petition in course of the day.

Heard learned counsel for the petitioner and learned APP for the State.

The petitioner is apprehending his arrest in Siwan Muffasil P.S. case No.442 of 2013 registered under Sections 147, 148, 149, 323and 379 of the Indian Penal Code and Section 27 of the Arms Act, pending before the court of Chief Judicial Magistrate, Siwan.

Allegation is that the accused persons including the petitioner on the point of pistol looted Rs.25,000/- from the pocket of the informant.



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. No specific allegation has been made against the petitioner. Specific allegation has been made against one Raja Yadav and Mangal Yadav. There is admitted land dispute between the parties.

On behalf of the State, it is submitted that the petitioner is named in the complaint case/F.I.R. The petitioner has also participated in committing the theft along with the other co-accused by using fire arm.

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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