

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51929 of 2016

Arising Out of PS.Case No. -182 Year- 2016 Thana -SARAIYA District- MUZAFFARPUR

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1. Rajdeo Rai Son of Jai Lal Rai, Resident of Village- Raghunathpur,
P.S.-Paroo, District-Muzaffarpur.

.... Petitioner

Versus

1. The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Neeraj Kumar Alias Sanidh

For the Opposite Party/s : Mr. Satyendra Prasad

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 07-12-2016 Heard learned counsel for the petitioners and learned
counsel appearing on behalf of the State.

The petitioners are apprehending their arrest in connection with Saraiya P.S. Case No. 182 of 2016 for the offence instituted under Section 392 of the Indian Penal Code.

The prosecution case, in brief, is that while the informant was going from his motorcycle and reached near Binhahar Patti Temple, in the meantime, three unknown miscreants came there and snatched the motorcycle, mobile, ATM cards, License and Rs. 600/- from the informant on the point of pistol.

It has been submitted on behalf of the petitioners that the petitioners have falsely been implicated in the present case.



There is no allegation of tampering of witnesses alleged against the petitioners. The petitioners are not named in the F.I.R. There is no recovery of any incriminating article from the possession of the petitioners.

On behalf of the State, it has been submitted that the name of the petitioners have come on the basis of confessional statement of co-accused namely Arun Kumar and the looted motorcycle in question is also said to have been recovered from the possession of co-accused namely Arun Kumar.

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

Anyhow if the petitioners surrender 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.)

Amit/-

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