

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11853 of 2017

Arising Out of PS.Case No. -256 Year- 2015 Thana -PUPRI District- SITAMARHI

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1. Gyani Sah Son of Late Saukhi Lal Sah, Resident of Village- Kushhar,
P.S. Tariyani, District Sheohar.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shankar Kumar

For the Opposite Party/s : Mr. Sri Surendra Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 22-03-2017 The petitioner is apprehending his arrest in connection with Pupri P.S. Case No. 256 of 2015, registered for offences punishable under Sections 395, 397, 396, 414 of the Indian Penal Code.

It has been submitted on behalf of the petitioner that initially a case under Section 395 Indian Penal Code has been filed against the petitioner but later on Section 396 of Indian Penal Code was added in this case. Petitioner was not named in the F.I.R and only after a period of six months his name has been added at the instance of Investigating Officer. Petitioner is a resident of District- Sheohar and no way concerned with the alleged offence and also the petitioner is an old person aged about 60 years.

Heard learned A.P.P. also.



Having heard both sides, in view of the fact that the case is under Section 396 of Indian Penal Code and petitioner's name has been added during the course of investigation, as such, I am not inclined to grant the petitioner the privilege of anticipatory bail, it is accordingly rejected.

However, if the petitioner surrenders before the Court below and pray for regular bail and if any such application is filed the same will be considered by the court below on the merit of the case and the court below shall also consider the age of the petitioner and shall pass an appropriate order, without being prejudiced by the order of this Court.

(Vinod Kumar Sinha, J)

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