

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15199 of 2017

Arising Out of PS.Case No. -159 Year- 2016 Thana -DHAMDAHA District- PURNIA

- =====
1. Md. Jamal, Son of Wali,
 2. Anwar, Son of Md. Bihari @ Md. Sajjad, both resident of village -
Ramjani, Police Station Janki Nagar, District - Purnia

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Vikram Singh
For the Opposite Party/s : Mr. Arun Kumar

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

4 17-07-2017 Heard leaned counsel for the petitioners and the
leaned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Dhamdha P.S. Case No. 159 of 2016, registered under Sections 457, 380 and 411/34 of the Indian Penal Code, pending in the court of the Chief Judicial Magistrate, Purnia.

The accusation is that after taking dinner, informant and other family members were sleeping. In the meantime, her son-in-law awoke and went outside the house to attend call of nature and when he returned to the house then he heard some sound of noise then informant also awoke and saw that one person was fleeing from her house. Thereafter, her son-in-law raised alarm and informant along with her son-in-law started chasing then saw three persons towards banana orchard. Out of



them, one of the miscreant was apprehended with the help of villagers, who disclosed his name as Md. Khalil and also disclosed the name of the petitioners as one other relative of petitioner No.2. When informant entered in the house then came to know about missing of ornaments and cash of Rs. 45,000/- from the box.

Learned counsel for the petitioners submits that the name of the petitioners has been disclosed by apprehended co-accused Md. Khalil on spot, except the confessional statement nothing has been collected by the I.O showing the hand of the petitioner in the present case.

Having considered the facts and circumstances of the case and the nature of allegation against the petitioner, I am not inclined to grant anticipatory bail to the petitioner. Accordingly, his prayer for grant of anticipatory bail stands rejected. The petitioner is directed to surrender before the trial Court within four weeks and pray for regular bail, which would be considered by the trial Court in accordance with law without being prejudiced by the order of this Court.

(Rajendra Kumar Mishra, J)

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