

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2390 of 2017

Arising Out of PS.Case No. -19 Year- 2016 Thana -SAMASTIPUR GRP CASE District-
SAMASTIPUR

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Kanhaiya Ram, S/o Garib Ram, Resident of Village-Sanhauli, P.S.-
Chitragupta Nagar, District-Khagaria.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 13-02-2017 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner apprehends his arrest in connection with
Samastipur (Rail) P.S. Case No.19 of 2016/G.R. No.44 of 2016
registered under Section 379 of the Indian Penal Code pending in
the court of the Additional Chief Judicial Magistrate (Rail),
Samastipur.

Learned counsel appearing on behalf of the petitioner
submits that the petitioner is not named in the F.I.R. In course of
investigation, the mobile set, said to be stolen, was found in the
possession of Kanchan Devi putting her own SIM in the same and
she disclosed that the said mobile set was given to her by her son



Chhotu Kumar and Chootu Kumar has also stated about purchasing the said mobile set from the petitioner. Except that, there is nothing against the petitioner to show his involvement in the commission of the alleged offence.

Having considered the facts and the circumstances of the case and the materials, as collected during the course of investigation against the petitioner, I am not inclined to grant anticipatory bail to the petitioner. Accordingly, the prayer of the petitioner for grant of anticipatory bail stands rejected. However, the petitioner is directed to surrender before the trial court within four weeks from today and pray for regular bail, which shall be considered by the trial court in accordance with law without being prejudiced by the order of this Court.

(Rajendra Kumar Mishra, J)

P.S./-

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