

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24690 of 2017

Arising Out of PS.Case No. -231 Year- 2016 Thana -RAGHOPUR District- SUPAUL

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1. Domi Sharma, son of Late Butan Sharma, Resident of Village- Hariharpur, P.S.- Raghopur, District- Supaul.
2. Maish Mandal @ Manish Kumar, Son of Maheshwar Mandal, Resident of Village- Husainabad, P.S.- Raghopur, District- Supaul.
3. Bishundeo Mandal, son of Buko Mandal, Resident of Village- Husainabad, P.S.- Raghopur, District- Supaul.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Raj Kumar Rajesh, Advocate.

For the Opposite Party/s : -----

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL ORDER

3 13-06-2017 Heard Sri Raj Kumar Rajesh, learned advocate
appearing on behalf of the petitioners.

No one appears for the State.

The petitioners are seeking anticipatory bail in
Raghopur P.S. Case No. 231/2016 registered under Sections 413,
414 read with Section 34 of the Indian Penal Code.

The allegation against the petitioners is that in course
of search of their house one motorcycle, hand pump, shoes and
slippers were seized and no explanation could be furnished by the
petitioners about those articles. Learned counsel for the petitioners
submits that the petitioners have been falsely implicated in this



case and their house was searched at the instance of the co-accused. However, there was no F.I.R. alleging theft of any motorcycle.

Since recoveries have been made from the house of the petitioners and there is no explanation of ownership of the motorcycle and other articles lying in the house, I am not inclined to grant anticipatory bail to the petitioners. The prayer for anticipatory bail is refused.

If the petitioners surrender in the court below within four weeks from today and pray for regular bail, the same shall be considered on its own merit considering the materials available on the record.

(Rajeev Ranjan Prasad, J)

Dilip, AR

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