

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29861 of 2017

Arising Out of PS.Case No. -70 Year- 2010 Thana -OBRA District- AURANGABAD

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1. Ajeet Sharma @ Ajeet Kumar Gaur @ Ajeet Kumar, son of Gopal Sharma, resident of village- Ugahnidhi, Police Station- Mohania, District - Kaimur at Bhabua.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar Singh, Advocate

For the Opposite Party/s : Mr. Prem Kumar Jha, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3/ 28-07-2017

Heard learned counsel for the Petitioner and the State.

The Petitioner apprehends his arrest in Obra P.S. Case No.70 of 2010 instituted for the offence under Section(s) 457 and 380 Indian Penal Code pending in the Court of the Sub-Divisional Judicial Magistrate, Daudnagar, Aurangabad.

There is allegation in the written report that theft had been committed in the house of the informant and a box containing rupees two lac fifty thousand, jewellery etc. and a mobile phone had been stolen away.

The Sessions Judge has mentioned in the impugned order that the name of this petitioner has come in the confessional statement of co-accused, Sujeet Kumar, that at the instance of this petitioner he has committed the offence. Para 12 of the supplementary case diary shows that rupees forty one thousand of



100/1000 denomination currency notes were recovered from the upper pocket of the petitioner. Apart from this, a country made pistol kept beneath bed was recovered. The petitioner was suspected and sought to be remanded in this case in 2010, but the petitioner is absconding.

A report was called for from the Court below about the present stage of the case, which has been received. It has been submitted by the learned Court that cognizance in this case was taken on 06.07.2010 against the petitioner and other accused persons. Non-bailable Warrants of Arrest have been issued against the accused persons.

In this manner, the petitioner has not appeared in Court after the order of cognizance dated 06.07.2010.

In such circumstances, this Court does not find it a fit case for grant of anticipatory bail.

Prayer of the petitioner for grant of anticipatory bail is rejected.

The petitioner may surrender in the Court below and seek regular bail, which shall be considered and disposed off on its own merit without being prejudiced by this order.

(Sanjay Priya, J)

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