

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26795 of 2017

Arising Out of PS.Case No. -226 Year- 2015 Thana -KODHA District- KATIHAR

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1. MD. NISHARUL @ KARE @ MD. NISHARUL HAQUE Son of Md. Sabul , Resident of Village- Adgama, Police Station- Karif, District- Katihar.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anamul Haque

For the Opposite Party/s : Mr. Dr. Kumar Uday Pratap

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

3 15-09-2017 Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Korha P.S. Case No. 226 of 2015, disclosing offences under Sections 392 and 412 (A) of the Indian Penal Code.

Learned counsel for the petitioner has submitted that the petitioner, who is of clean antecedent, is innocent and has not committed any offence. In fact, the petitioner has not been named in the F.I.R. rather the name of this petitioner has surfaced on the basis of confessional statement of co-accused, Rajesh Kumar. Hence, the petitioner deserves the privilege of anticipatory bail.

Learned A.P.P. for the State as well the informant



has opposed the prayer for bail and submitted that the alleged motorcycle has been identified which has been mentioned in Para-20 of the case diary. Moreover, charge sheet has been submitted in this case in which the petitioner has been showing absconder.

Considering the facts and circumstances of the case, this Court is not inclined to grant the privilege of anticipatory bail to the petitioner. Accordingly, the prayer for anticipatory bail of this petitioner is, rejected.

(Arvind Srivastava, J)

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