

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46961 of 2016

Arising Out of PS.Case No. -84 Year- 2015 Thana -BAIKUNTHPUR District- GOPALGANJ

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Mukesh Rai, son of Bhuneshwar Rai, resident of village-Allepur, Post-Rajapatti, P.S. Baikunthpur, District-Gopalganj.

.... 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

3 09-01-2017 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner apprehends his arrest in connection with Baikunthpur P.S. Case No.84 of 2015/G.R. No.1368 of 2015 registered under Sections 394/34 of the Indian Penal Code, pending in the court of the Chief Judicial Magistrate, Gopalganj.

Regarding the robbery of motorcycle and other articles of the informant Baliram Sah, the present case was instituted against unknown on the basis of the fardbeyan of the informant in which the informant has detailed the physique of the miscreants.

Submission on behalf of the petitioner is that the petitioner is not named in the F.I.R. rather the name of the petitioner has been disclosed by the co-accused Sagar Manjhi,



who was apprehended in course of investigation and from whose possession the robbed articles of the informant were recovered. Except that there is nothing against the petitioner to connect him in the commission of the alleged offence.

Having considered the facts and the circumstances of the case and the nature of allegation, 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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