

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.60068 of 2017

Arising Out of PS.Case No. -112 Year- 2014 Thana -HASPURA District- AURANGABAD

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Shiv Sao @ Shiv Kumar, Son of Sri Nand Lal Sao @ Nand Lal Sao Soni
Resident of Village +P.O. Usari Bazar(Usri), Mehendiya, District- Arwal
(Bihar).

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar Sinha

For the Opposite Party/s : Mr. Sri Akshay Lal Pandit

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

02/ 12-12-2017

Heard learned counsel for the petitioner

and learned counsel for the State.

The petitioner is apprehending his arrest in
a case registered for the offences punishable under Sections 457
and 380 of the Indian Penal Code.

The prosecution case is that on 16.11.2014
theft of armaments worth Rs.10-12 lakhs and documents of
landed property and other items were committed in the house of
the informant. On 17.11.2014 the informant came to know about
the theft then he lodged the FIR. The FIR was lodged against
unknown but during investigation the name of the petitioner
sprang up.



It is submitted by learned counsel for the petitioner that the name of the petitioner sprang up only on suspicion on the basis of confessional statement of co-accused Sidhnath Soni, but there is no recovery from the petitioner.

Keeping in view the fact that the petitioner is accused in two other cases of similar nature, this Court is not inclined to grant anticipatory bail to the petitioner. However, keeping in view the fact that the petitioner's name sprang up only on the basis of confessional statement of co-accused and there is no recovery from the petitioner, it is a case for consideration of prayer for regular bail by the learned Court below, if the petitioner surrenders before the learned court below within a period of six weeks from today in connection with Haspura P.S. Case No. 112 of 2014 pending in the court of learned Sub-divisional Judicial Magistrate, Daudnagar, Aurangabad.

With the aforesaid observation, this application is disposed of.

(Dinesh Kumar Singh, J)

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