

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9934 of 2017

Arising Out of PS.Case No. -199 Year- 2016 Thana -BAHERI District- DARBHANGA

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1. Arvind Kumar, son of Ram Bilash Mandal, Resident of Village-Sundarban Dhanauli, P.S.- Baheri, District- Darbhanga (Bihar).

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dharmendra Jha

For the Opposite Party/s : Mr. Sri Madhuranand Jha

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 18-03-2017 The petitioner is apprehending his arrest in connection with Baheri P.S. Case No. 199 of 2016, registered for offences punishable under Sections 379 and 411/34 of the Indian Penal Code.

It has been submitted on behalf of the petitioner that save and except confessional statement of co-accused before police, there is nothing against the petitioner and he has clean antecedent and though he has also been seen on C.C.T.V. footage but on that particular date, the petitioner had gone to bank to withdraw the money from his mother's account and just on the basis of the said C.C.T.V. footage, he has been made accused.

Heard learned A.P.P. also.

Having heard both sides, in view of the facts and



circumstances of the case and the nature of offence, I am not inclined to grant the petitioner the privilege of anticipatory bail, it is accordingly rejected.

However, if the petitioner surrenders before the court below and make prayer for regular bail, his application will be considered by the court below by taking into account that petitioner's name has come on confessional statement and he was seen on the place of occurrence as he had gone to withdraw the money from his mothers bank account and after verifying all these facts, the court below shall pass an appropriate order, without being prejudiced by the order of this Court.

With the above observation, this application is disposed of.

(Vinod Kumar Sinha, J)

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