

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.61389 of 2017

Arising Out of PS. Case No.-38 Year-2017 Thana- GALGALIA District- Kishanganj

Md. Akhtar S/o Late Md. Yasin, R/o Village- Birpur, P.S.- Pothia in the
District- Kishanganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raj Kumar, Adv.
For the State : Mr. J. N. Thakur, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 19-12-2017 Heard learned Counsels for the petitioner and learned
APP for the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 379, 411, 413, 34 of the Indian Penal Code.

Accusation is that 22 persons were found committing theft of high tension wire by cutting it, when two persons were apprehended, who disclosed the name of the petitioner.

It is submitted by learned counsel for the petitioner that there is no recovery from the petitioner and he has been roped in as an accused only on the basis of confession of the apprehended accused and except this, there is nothing against the petitioner. Though the petitioner is accused in five other cases, but in all the cases he is on bail except one case i.e. Pothia P.S. Case No.54 of 2017.



Considering the criminal antecedent of the petitioner this Court is not inclined to grant anticipatory bail to the petitioner. However, keeping in view of the fact that there is no recovery from the petitioner and his name sprang up on the confession of the co-accused, it may be a case for consideration of prayer for regular bail, if the petitioner surrenders before the learned Court below within a period of six weeks in connection with Galgalia P.S. Case No.38 of 2017, pending before the learned CJM, Kishanganj.

The application is, accordingly, disposed of.

(Dinesh Kumar Singh, J)

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