

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.54375 of 2016**

Arising Out of PS.Case No. -272 Year- 2016 Thana -MAKHDUMPUR District- JEHANABAD

=====

Shailendra Kumar @ Chhote, Son of Vasanti Sharma, Resident of Village-  
Pali, Police Station Belaganj, District Gaya.

.... .... Petitioner.

Versus

The State of Bihar.

.... .... Opposite Party.

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**Appearance :**

For the Petitioner : Mr.  
For the State : Mr.  
For the Informant : Mr.

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR  
MISHRA**  
ORAL ORDER

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3      18-04-2017                      Heard learned counsel for the petitioner and the  
  
learned A.P.P. for the State as also the learned counsel for the  
  
informant.

The petitioner apprehends his arrest in connection with  
  
Makhdumpur P.S. Case No.272 of 2016 registered under Section  
  
392 of the Indian Penal Code, pending in the court of the Chief  
  
Judicial Magistrate, Jehanabad.

The accusation is of committing the robbery of 150  
  
bags of Cement, which was being carried by the informant,  
  
loading the same on the tractor, by this petitioner and another  
  
F.I.R. named accused.

Learned counsel appearing on behalf of the petitioner



submits that it would appear from the F.I.R. that while the occurrence is said to be of 11.11.2016 but the F.I.R. was lodged by the informant on 14.11.2016, after two days of the occurrence, which creates doubt about the genuineness of the prosecution case.

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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