

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56312 of 2017

Arising Out of PS.Case No. -142 Year- 2017 Thana -DORIGANJ District- SARAN

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Baleshwar Ray, Son of Ram Naresh Ray, Resident of Village- Chirand,
Balwan Tola, P.S.- Doriganj, District- Saran.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Singh

For the Opposite Party/s : Mr. Arun Kumar Singh -5

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

3 16-01-2018 Heard the learned counsel for the petitioner as well as
the learned A.P.P. for the State.

In this application for anticipatory bail the petitioner apprehends his arrest in connection with Doriganj P.S. Case No. 142 of 2017 for the offences punishable under sections 379, 201 and 34 of the I.P.C.

Allegedly, a boat which was involved in loading of illegal sand was seized and was kept, in the meantime the petitioner and co-accused came there and stated that the boat has been released by the order of the court and they started removing the water which was collected in the boat and suddenly they fled away with the boat without having proper release order.

Submission is of false implication and that the



petitioner is resident of village- Chirand, whereas, the informant alleged that the petitioner is resident of Balwan Tola, there is no any person in the name of Baleshwar Ray in the village- Balwan Tola, no boat has been recovered from possession of the petitioner, he is a man of clean antecedent and as such he deserves sympathetic consideration.

The learned A.P.P. seriously opposes prayer for pre-arrest bail of the petitioner by submitting that during investigation the witnesses vide paragraphs- 7 to 10 of the case diary have supported the allegation.

In the facts and circumstances stated above, considering the allegation attributed against the petitioner, I am not inclined to grant privilege of pre-arrest bail to him and accordingly his such prayer stands rejected in connection with the aforementioned case pending in the court of A.C.J.M-VII, Saran at Chapra.

(Jitendra Mohan Sharma, J)

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