

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29988 of 2018

Arising Out of PS.Case No. -217 Year- 2016 Thana -GOGRI District- KHAGARIA

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1. Md. Naman, S/o Md. Asraf,
2. Sajo Miyan S/o Md. Sahid ,
3. Lambu Miyan S/o Hamid Miyan, All are R/o Vill.- Chhoti Maliya , P.S.-
Gogari, District- Khagaria.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bishweshwar Ram

For the Opposite Party/s : Mr. Sri Kumar Virendra Narayan

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

3 21-06-2018 Heard learned counsel for the petitioners as well as
learned Additional Public Prosecutor for the State.

Petitioners apprehend their arrest in connection with
Gogari P.S. Case No. 217 of 2016 registered for the offences
punishable under Sections 395 of the Indian Penal Code.

No doubt, petitioners are not named in the first
information report and their name surfaced in the confessional
statement of co-accused Md. Noor Alam but from perusal of the
impugned order, I find that the looted mobile was recovered from
possession of co-accused Md. Noor Alam and, therefore,
considering the aforesaid facts and circumstances as well as
submission of the parties and also keeping in mind that it is a



serious case of dacoity, I do not feel it proper to extend privilege of anticipatory bail to the petitioners and, accordingly, their prayer for anticipatory bail in connection with Gogari P.S.Case No. 217 of 2016, pending in the court of learned Chief Judicial Magistrate, Khagaria stands rejected.

However, it is made clear that at the time of consideration of regular bail application of the petitioners by the concerned court, this order shall not cause any prejudice to the concerned court and this Court expects and hopes that the concerned court shall pass order on regular bail application of the petitioners in accordance with law.

(Hemant Kumar Srivastava, J)

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