

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.49395 of 2018

Arising Out of PS.Case No. -242 Year- 2014 Thana -BETTIAH CITY District-
WESTCHAMPARAN(BETTIAH)

1. Mahabir Yadav S/o Late Lalu Yadav, resident of Village- Dumariya,
P.S.- Bairiya, District- West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar, Advocate

For the Opposite Party/s : Mr. Bisheshwar Ram, A.P.P.

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 28-08-2018 Heard the parties.

The petitioner seeks anticipatory bail in connection with Bettiah (T) P.S. Case No. 242 of 2014, registered for offences punishable under Section 379 of the Indian Penal Code.

As per F.I.R., allegation against the petitioner is of theft of motorcycle of the informant.

Submission of the learned counsel for the petitioner is that the petitioner has been falsely implicated in this case and nothing incriminating has been recovered from the possession of the petitioner. It is submitted that the petitioner has not been named in the F.I.R. and except the present case the petitioner was accused in another case.



Learned A.P.P. opposes the prayer for bail.

In view of allegation against the petitioner, above named, I am not inclined to grant bail to the petitioner. Accordingly, prayer for anticipatory bail is rejected with a direction to the petitioner that if the petitioner surrenders before the Court below and makes prayer for regular bail, which will be considered by the learned court below on its own merit without being prejudiced by this order of this Court.

With the aforesaid observation, this application is dismissed.

(Vinod Kumar Sinha, J)

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