

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.52685 of 2018**

Arising Out of PS.Case No. -197 Year- 2018 Thana -SAUR BAZAR District- SAHARSA

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Md. Kurban Son of Md. Sabir @ Md. Sabbir, resident of Village- Lahauna,  
Pasvapar, Ward No. 7, P.S.- Sour Bazar(Postpar O.P.), District- Saharsa.

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

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

For the Opposite Party/s : Mr. Md. Nazir Ansari

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**CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI**  
**ORAL ORDER**

2      04-09-2018

Heard learned counsel for the petitioner as well as  
learned Additional P.P.

Petitioner seeks regular bail in connection with Sour  
Bazar (Baijnathpur O.P.) P.S. Case No.197 of 2018 registered for  
the offences under Sections 461 and 379 of the Indian Penal Code.

After lurking house trespass petitioner indulged in  
commission of theft, was apprehended red handed.

It has been submitted on behalf of the petitioner that  
he happens to be under custody since 8.4.2018. Also submitted  
that nothing has been recovered from his possession.

Learned Additional P.P. opposed the prayer.

From paragraph-3 of the petition, it is evident that  
petitioner has got criminal antecedent apart from having been



apprehended red handed at the spot itself.

Accordingly, prayer for bail is rejected.

However, the learned lower court will release the petitioner on bail after examination of the informant to its own satisfaction.

**(Aditya Kumar Trivedi, J)**

N.H./- R.S. Sen

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