

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38167 of 2018

Arising Out of PS. Case No.-16 Year-2004 Thana- JADIA District- Supaul

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1. Md. Allauddin, S/o Abdul Mazid,
 2. Md. Safi @ Md. Safleuddin, S/o Md. Dukha,
 3. Md. Masuluddin @ Md. Masleuddin, S/o Md. Dukha,
 4. Md. Juber, S/o Khatar, All are resident of Village- Fulkaha,
P.S. Jadia, District- Supaul.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nafisuzzoha
For the Opposite Party/s : Mr. Sri Indra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 17-07-2018 Heard learned counsel for the petitioners and learned APP
for the State.

Petitioners apprehend their arrest in Jadia P.S. case
no. 16 of 2004 instituted for the offence under Section 436 and
379/34 of the Indian Penal Code.

It is alleged in the written report that accused persons
including petitioners set the house of informant on fire and
took away two bags of rice each containing 20 kg.

Learned counsel for the petitioners has submitted that
police after investigation submitted final form in this case. But
learned Magistrate after differing with the final form has taken
cognizance against the petitioners. The learned Sessions Judge,



Supaul has mentioned in the impugned order that petitioners are evading their appearance in Court and, ultimately, the process under Sections 82 and 83 Cr. P.C. has also been issued. The petitioners have been declared absconder.

Therefore, this Court does not find it a fit case for grant of anticipatory bail. Prayer for anticipatory bail of the petitioners stand rejected.

Petitioners may surrender before the Court below and make prayer for regular bail which shall be considered and disposed of, if possible on the same day, on its own merit in accordance with law without being prejudiced by the present order.

(Sanjay Priya, J)

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