

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39331 of 2017

Arising Out of PS.Case No. -253 Year- 2011 Thana -MADHUBAN District-
EASTCHAMPARAN(MOTIHARI)

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Naresh Sahani, S/o Late Ramchandra Sahani, resident of Village-
Chouharia, P.S.- Madhuban, Dist.- East Champaran, Motihari.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar Gupta

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

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

ORAL ORDER

3 11-01-2018 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 Madhuban P.S. Case No. 253 of 2011 for the offences punishable under sections 379 and 461/34 of the I.P.C.

Allegedly, the petitioner and other co-accused have caused threats to loot away the mobile shop of the informant and thereafter in the mobile shop theft was committed and the articles as detailed in the F.I.R. were stolen away.

Submission is of false implication and that only on suspicion the petitioner has been named, there is no legal and



cogent material against the petitioner, due to land dispute and enmity the petitioner has been implicated in this case and as such the petitioner deserves sympathetic consideration.

The learned A.P.P. opposes prayer for pre-arrest bail of the petitioner by submitting that the petitioner is named in the FIR and further the witnesses have seen the petitioner and others on the day of occurrence in the late evening drinking toddy in the market and further Raj Mangal Sahni in his confessional statement has named the petitioner also regarding his involvement in this crime.

In the facts and circumstances stated above, considering the material available 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 S.D.J.M. Pakridayal, Motihari.

(Jitendra Mohan Sharma, J)

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