

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.57650 of 2018

Arising Out of PS. Case No.-80 Year-2018 Thana- SANJHOLI

District- Rohtas

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Rajnish Choudhary @ Rajnish Kumar, Son of Anil Choudhary @ Anil Kumar, Resident of Village- Karmaini, P.S.- Sanjhauli, District- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Siddharth Harsh

For the Opposite Party/s : Mr. Sri Tapeswar Sharma

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

3 11-12-2018 The petitioner seeks bail in anticipation of his arrest in connection with Sanjhauli P.S. Case No. 80 of 2018 dated 25.07.2018 instituted for the offences under Section 414 of the Indian Penal Code.

One Hazari Yadav was arrested by the Police on suspicion of being in possession of stolen motorcycle. He is stated to have confessed before the Police, taking the name of the petitioner as his associate. On such confession, the stolen motorcycle was recovered from the house of the petitioner.



The learned counsel for the petitioner has submitted that apart from the confession, there is no other material in the investigation papers to justify his detention.

This Court is not inclined to grant anticipatory bail to the petitioner on the ground that earlier to this case, he was also made an accused in Dumrao P.S. Case No. 139 of 2016 which has been instituted for the offence under Sections 379/411 of the Indian Penal Code. The prayer is rejected.

However, if the petitioner surrenders before the Court below within a period of four weeks from today and prays for regular bail, the learned Court below shall take into account that implication of the petitioner is only on the basis of confession and shall pass orders without being prejudiced by the order of this Court.

(Ashutosh Kumar, J)

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