

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.61338 of 2018

Arising Out of PS. Case No.-55 Year-2018 Thana- ISHAKCHAK District- Bhagalpur

Md. Kasim Son of Mansur Khaja Mansuri, Resident of Mohalla- Police Line
Road, Gumati No- 3, Bhikhanpur, P.S. Ishakchak, District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shyam Kishor Das

For the Opposite Party/s : Mr. J.N. Thakur

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 10-12-2018

Heard learned counsels for the parties.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 394/34 and 395 of the IPC and Section 27 of the Arms Act.

The accusation is of committing dacoity.

Though the FIR was lodged against two named and two unknown, hence it is submitted by learned counsel for the petitioner that case under Section 395 of the IPC is not made out. During investigation, it transpired that co-accused Nitish Kumar has been named and he is specifically alleged to have participated in the commission of offence though it is submitted that there is no recovery from the petitioner.

Considering the nature of accusation and the fact that petitioner is accused in one other case, this Court is not inclined



to grant anticipatory bail to the petitioner. However, let the learned court below consider the prayer of the petitioner for regular bail in case the petitioner surrenders within six weeks in connection with Ishakchak P.S. Case No. 55 of 2018 pending in the Court of the learned CJM, Bhagalpur.

With the aforesaid observation/direction, this application is disposed of.

(Dinesh Kumar Singh, J)

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