

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51305 of 2018

Arising Out of PS.Case No. -24 Year- 2009 Thana -DUMARIYA District- GAYA

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1. Karu Das son of Thiru Das @ Dhiru Das Resident of Salaiter, P.S. Dumariya, District - Gaya.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Maksood Ahmad Khan @ Chhote Khan son of Late Haji Mohammad Ismail Khan resident of village - Cholha, P.S. Dumariya, District Gaya.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rashid Izhar

For the Opposite Party/s : Mr. Yogendra Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 14-09-2018 The petitioner is apprehending his arrest in connection with Dumariya P.S. Case No. 24 of 2009, registered for offences punishable under Sections 147, 148, 149, 341, 342, 323, 452, 380, 436, 427 of the Indian Penal Code, Section 17 of C.L.A. Act and Section 3/4 of Explosive Act.

Petitioner is named in F.I.R. and the allegation against the petitioner and several other accused persons is of committing theft in the house of the informant and demolishing house of the informant and others houses by using explosive substance.

Submission of learned counsel for the petitioner is that the petitioner has been named in the F.I.R. along with several other accused persons and there is no specific allegation against the petitioner. Further submitted that co-accused persons having similar allegation have already been granted privilege of



anticipatory bail by Coordinate Bench of this Court vide order dated 20.10.2009 passed in Cr. Misc. No. 35339 of 2009, vide order dated 03.12.2009 passed in Cr. Misc. No. 41683 of 2009, vide order dated 03.02.2010 passed in Cr. Misc. No. 2576 of 2010, vide order dated 01.04.2010 passed in Cr. Misc. No. 10261 of 2010, vide order dated 30.07.2013 passed in Cr. Misc. No. 24415 of 2013, vide order dated 20.03.2017 passed in Cr. Misc. No. 7762 of 2017.

Heard learned A.P.P. also.

Having heard both sides, in view of the facts that the case is of the year 2009 and the petitioner is named in the F.I.R., I am not inclined to grant privilege of anticipatory bail to the petitioner, rather he should surrender and make prayer for regular bail, which would be considered on the basis that the other co-accused persons have been granted the privilege of anticipatory bail by this Court and the court below shall pass an appropriate order, if possible, on the same day.

Accordingly, this application is disposed of.

(Vinod Kumar Sinha, J)

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