

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3750 of 2019

Arising Out of PS. Case No.-151 Year-2018 Thana- SIKTI District- Araria

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Rahat Hussain Abdul Rahim Resident of Village- Lodhabari, Police Station- Terhagachh, District- Kishanganj, as per F.I.R. Rahat Hussain, Son of Late Rahimuddin, Resident of Village- Dhabeli, Police Station- Terhagachh, District- Kishanganj.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Raj Kumar

For the Opposite Party/s : Mr.Pushpa Sinha

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 08-03-2019 Heard the parties.

The petitioner is apprehending his arrest in connection with Excise Spl. Case No.1064 of 2018 (arising out of Sikti P.S.Case no.151 of 2018) registered for offences punishable under Sections 147, 148, 341, 323, 224, 353, 379 of the Indian Penal Code and Sections 37, 45, 75 (2) of Bihar Prohibition and Excise Act, 2016.

Allegation as per FIR is that the police on patrolling got information that some persons are coming on the motorcycle making nuisance and two persons were arrested with liquor, however later on the petitioner and other accused persons reached there and got freed apprehended accused persons. There is specific allegation against the petitioner of snatching



away motorcycle of the Chaukidar.

Submission of the learned counsel for the petitioner is that though there is specific allegation against the petitioner of snatching of motorcycle but that has been recovered immediately thereafter and he has no criminal antecedent.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, I am not inclined to grant anticipatory bail to the petitioner, however, the petitioner is directed to surrender before the learned court below within a period of six weeks from the date of order and make prayer for regular bail, which will be considered by the learned court below on its own merit without being prejudiced by the order of this Court and if possible to be disposed of on the same day.

With the aforesaid observation, this application is dismissed.

(Vinod Kumar Sinha, J)

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