

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10800 of 2019**

Arising Out of PS. Case No.-239 Year-2018 Thana- MAHESI District- East Champaran

MD. NASHIR Son of Morab Ansari Resident of Village - Rampur Shankar,
P.S.- Mehsi, District -East Champaran.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Madhurendra Kumar

For the Opposite Party/s : Mr.Sanjay Kumar Sharma

**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER**

3 26-04-2019 Heard learned counsel for the parties.

The petitioner is apprehending his arrest in connection with Mehsi P.S.Case no.239 of 2018 registered for offences punishable under Sections 457, 380 of the Indian Penal Code.

Allegation against the petitioner is of committing theft of Rs.23,500/- and golden & silver ornaments from the house of the informant.

Submission of the learned counsel for the petitioner is that he was working as *Raj Mistry* in the house of the informant and there was dispute with respect to wages and as a result of hot exchange of words so he has been falsely implicated in this case.

Heard learned A.P.P. , who has opposed the prayer for bail stating that the petitioner is named in the FIR and the impugned



order also suggests that the witnesses have also supported the prosecution case during the investigation. .

Having heard both sides and in view of the facts and circumstances, as stated above, I am not inclined to grant privilege of 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 receipt of the order and make prayer for regular bail, which will be considered by 2019 the learned court below without being prejudiced by the order of this Court.

With the aforesaid direction, this application is dismissed.

(Vinod Kumar Sinha, J)

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