

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19363 of 2019

Arising Out of PS. Case No.-134 Year-2017 Thana- PHULWARIA District- Begusarai

RAHUL KUMAR @ SHANKER @ FATUR Son of Sudhir Kumar Chodhari
Resident of Village - Malti, Ward No.-02, Post - Pipra Devas, P.S. -
Phulwaria, District - Begusarai-851112

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravindra Kumar @ Ravindra Kr Rai
For the Opposite Party/s : Mr.Amitesh Kumar

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

7 17-10-2019 This application, for grant of anticipatory bail, arises

out of Phulwaria P.S. Case No. 134 of 2017, disclosing offences

under Section 392 of the Indian Penal Code.

Allegation as per F.I.R. is that while the informant
was going on motorcycle, some miscreants stopped the
motorcycle and snatched the motorcycle from him.

Submission of learned counsel for the petitioner is
that petitioner is not named in the F.I.R., his name has surfaced
in this case during investigation on confessional statement of
co-accused and except that there is nothing against the
petitioner.

Learned counsel for the State opposed the prayer for
bail and submitted that the informant claimed to identify the



accused persons, as such, unless the petitioner surrenders, T.I.P. cannot be held.

Having heard both sides, considering the facts and circumstances, I am not inclined to grant the privilege of anticipatory bail to the petitioner rather petitioner may surrender before the court below and make prayer for regular bail and if any such application is filed, the court below will dispose of the same on the merit of the case, without being prejudiced by this order.

This application is, accordingly, dismissed .

(Vinod Kumar Sinha, J)

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