

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36293 of 2019

Arising Out of PS. Case No.-48 Year-2018 Thana- MOTIHARI TOWN District- East
Champaran

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MD. BITTI @ BETTI @ MD. BITTU Son of Khush Mahmad Resident of
Mohalla - Nakchhed Tola, Ward No. 04, P.S.- Motihari Town, Distt - East
Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Tiwari
For the Opposite Party/s : Mrs.Gulnar Begum

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 19-09-2019 The petitioner apprehends his arrest in connection with
Motihari Town P. S. Case No. 48 of 2018 registered under
Sections 379 and 461/34 of the Indian Penal Code.

Allegation against the petitioner, as per FIR lodged by
Ward Commissioner of Ward No. 4, is that the petitioner along
with others, after breaking open the lock of ward office, took
away TV, Set up box and portable sound system kept in
Almirah.

Learned counsel appearing on behalf of the petitioner
submits that petitioner is innocent and has falsely been
implicated in this case due to the village politics inasmuch as a
few days back, there was Panchayat election and the informant
being the Ward Commissioner has falsely implicated the



petitioner and others in this case due to the fact that petitioner did not support the side of the informant. Learned counsel further submits that petitioner has got no criminal antecedent.

On the other hand, learned counsel appearing on behalf of the State vehemently opposes the prayer for anticipatory bail and relying upon the case diary, submits that petitioner has criminal antecedents inasmuch as he was involved in about three cases of similar nature of theft. Learned counsel further submits that eye witness has also identified the petitioner as one of the person who committed theft in the ward office.

Having regard to the submissions made by the parties and taking into consideration the fact that petitioner has got criminal antecedents which has been concealed by him in the bail application and further he has been identified by eye witness, as such I am not inclined to grant anticipatory bail to the petitioner. Accordingly, prayer for anticipatory bail of the petitioner is rejected.

(Anil Kumar Sinha, J)

sujit/-

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