

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36917 of 2019

Arising Out of PS. Case No.-101 Year-2016 Thana- JOKIHAT District- Araria

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AZMAL Son of Kadir @ kaddu @ Kadir Uddin Resident of Village - Laliya,
P.S.- Jokihat, Dist.- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Rana
For the Opposite Party/s : Mr.Ram Sevak Choudhary

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 17-06-2019 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Jokihat P.S. Case No. 101 of 2016, disclosing offences under Sections 457 and 380 of the Indian Penal Code.

The date of occurrence has been described as 11.04.2016 in the FIR, which came to be registered on 20.04.2016. It is alleged in the FIR that the informant had seen the petitioner taking away his motor-cycle, after breaking open his door.

Learned counsel for the petitioner has submitted that the explanation that the petitioner had assured to return the vehicle is just a concoction and he has falsely been implicated in this case.



There is delay of three years in filing the present anticipatory bail application, for which there is no explanation.

In view of aforesaid, I am not inclined to grant the petitioner the privilege of anticipatory bail. This application is accordingly dismissed.

However, the petitioner is directed to surrender in the court below within four weeks from today and seek regular bail, if so advised. If he does so, the court below shall consider and dispose of his application for regular bail on its own merit, on the same day, without being prejudiced by the rejection of the present anticipatory bail application.

(Chakradhari Sharan Singh, J)

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