IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42114 of 2019

Arising Out of PS. Case No.-97 Year-2017 Thana- BAKHTIARPUR District- Saharsa

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Panchu Miyan @ Akram @ Pachu S/o Md. Khaleel R/o village- Hussainchak, Ward No. 2, Mahkhar, P.S.- Bakhtiyarpur, District- Saharsa

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Ashok Kumar, Advocate
For the Opposite Party/s : Mr. Arun Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 11-09-2019 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner apprehends his arrest in Bakhtiyarpur P.S. Case No. 97 of 2017, registered for the offence punishable under Section 395 of the Indian Penal Code.

As per the F.I.R, the informant along with his kids was returning to Salkhua by his vehicle bearing registration no. BR1 BE2859. The vehicle was also accompanied by other people travelling on Scorpio bearing no. BR 19G 3239 with his family members. When they came on the main road, the vehicles were intercepted by the miscreants and they forcibly stopped the vehicle and looted cash, ornaments etc. from the travelers. Informant further claimed that he will identify the accused persons.

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It is submitted on behalf of the petitioner that petitioner has falsely been implicated in this case merely on suspicion. There is no recovery of any looted article from the conscious possession of the petitioner. He is not apprehended on the spot.

Learned Additional Public Prosecutor opposed the prayer for bail.

Considering the fact that petitioner is named in the F.I.R and he has got criminal antecedent, I am not inclined to enlarge the petitioner above-named on anticipatory bail in connection with Bakhtiyarpur P.S. Case No. 97 of 2017. Accordingly, the same is rejected.

(Prabhat Kumar Singh, J)

vinita/-

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