

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69132 of 2018

Arising Out of PS. Case No.-9 Year-2015 Thana- MUZFFARPUR COMPLAINT CASE
District- Muzaffarpur

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1. Dhurendra Prasad
 2. Ramanup Prasad, Both Sons of Chirkut Prasad, Resident of Village- Bhawanipur, Police Station- Sangrampur, District- East Champaran.

... .. Petitioners

Versus

1. The State Of Bihar
2. Manoj Kumar, Son of Late Bhagnarayan Bhagat, Resident of Village- Khoripakar, Police Station- Sahebganj, District- Muzaffarpur.

... .. Opposite Parties

Appearance :

For the Petitioners : Mr. Karandeep Kumar, Advocate
For the Opposite Party : Dr. Ajeet Kumar, APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

3 27-02-2019 Heard learned counsel for the petitioners and learned APP
for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 406 of the Indian Penal Code registered in connection with Complaint Case No. 09 of 2015.

3. It is submitted that the petitioners have been falsely implicated and the parties are co-brothers. The tube-well machine was jointly bought by the parties and petitioner no. 1 had also contributed the amount by making payment through RTGS towards cost of the tube-well machine. Petitioner No. 1 had also filed Complaint Case No. 2504 of 2014 which has been later on converted into Sangrampur P.S. Case No. 18 of 2015.

4. This Court, however, takes note that the present anticipatory bail petition has been filed in the year 2018 in respect of the Complaint Case which has been filed as far back as in the year 2015. The petitioners have not offered any satisfactory explanation



for the delay and there is no immediate apprehension of their arrest. As such, this Court is not inclined to grant anticipatory bail to the petitioners. The anticipatory bail petition stands dismissed.

5. If the petitioners surrender and seek regular bail before the learned trial Court the same shall be considered on its own merit in accordance with law and without being prejudiced by any observation in the present order.

BT/Chandran

(Vikash Jain, J)

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