

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47861 of 2019

Arising Out of PS. Case No.-10 Year-2019 Thana- BAKHTIYARPUR District- Patna

HARIYA SINGH @ ROHIT SINGH Son of Sanjay Kumar Resident of
village- Makanpur, police Station- Warisaliganj, District- Nawada.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rabindra Kumar, Advocate

For the Opposite Party/s : Mr. Aslam Ansari, App

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 16-11-2019 Heard Mr. Rabindra Kumar, the learned counsel
for the petitioner and Mr. Aslam Ansari for the State.

The petitioner seeks bail in anticipation of his arrest in connection with Bakhtiyarpur P.S. Case No. 10 of 2019 dated 06.01.2019 instituted for the offences under Section 395 of the Indian Penal Code.

The accusation against the petitioner is on the basis of confession of a co-accused. However, some of the looted articles is said to have been recovered from the house of the petitioner.

Mr. Rabindra Kumar, the learned counsel for the petitioner has tried to impress upon this Court that twice recovery is shown from the house of the petitioner and none of the members of the family present in the house have been made to sign on the document of



recovery. Apart from this, it has been submitted that the petitioner is a young person who is prosecuting his studies and has clean antecedents.

The aforesaid grounds do not impress this Court for granting him anticipatory bail.

The prayer for anticipatory bail is rejected.

However, if the petitioner surrenders before the court below and seeks bail, the court below shall take into account the fact that the accusation against the petitioner is on the basis of confession and that as argued, proper procedure was not followed while effecting recovery of looted articles from the house of the petitioner and shall pass orders in accordance with law and without being prejudiced by the fact that the present petition has not been entertained.

(Ashutosh Kumar, J)

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