

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49954 of 2019**

Arising Out of PS. Case No.-5 Year-2019 Thana- WARISLIGANJ District- Nawada

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HARIYA SINGH @ HARIYA @ ROHIT SINGH Son of Sanjay Kumar @
Sanjay Singh Resident of Village - Makanpur, P.S.- Warisaliganj, Dist.-
Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rabindra Kumar

For the Opposite Party/s : Mr.Md. Matloob Rab

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**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

3 04-11-2019 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Warisaliganj P.S. Case no. 05 of 2019, registered under
Sections 414/34 of the Indian Penal Code and Sections 20/22
of the N.D.P.S. Act.

30 cartons of Ghari Soap, 3 cartons of life boy
soap and 120 pieces of Pepsodent Tooth Brush are said to have
been recovered from the house of the petitioner looted in
connection with Bakhtiyarpur P.S. Case No. 10 of 2019.



It is submitted by learned counsel for the petitioner that no incriminating article has been recovered from the conscious physical possession of the petitioner. Petitioner has been falsely implicated in the case merely because his family members refused to cooperate the police to disclose the name of the miscreants in the said occurrence. House of the petitioner is inhabited by several family members but police has not obtained signature of any of his family members on the seizure list. Hence the petitioner may be enlarged on bail.

On the other hand, learned APP for the State opposing the bail petition submitted that part of the stolen articles in connection with Bakhtiyarpur P.S. Case No. 10 of 2019 have been recovered from the house of the petitioner and petitioner is having criminal antecedent, hence he does not deserve bail.

Having regard to the facts and circumstances of the case, I am not inclined to enlarge the petitioner on anticipatory bail. Prayer for bail of the petitioner is rejected.

However, petitioner is directed to surrender before the learned court below within six weeks from today and seek regular bail and the learned court below shall dispose of the bail petition of the petitioner on the very date of his surrender in



accordance with law without being prejudiced by this order.

(Prakash Chandra Jaiswal, J)

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