

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51705 of 2019

Arising Out of PS. Case No.-67 Year-2019 Thana- BARHARA KOTHI District- Purnia

1. CHANDAN YADAV, aged about 36 years, Male, Son of Jago Yadav, Resident of Village - Nipania Gahel Tola, P.S.- Barhara, Distt - Purnea
2. Balo Paswan @ Balram Paswan @ Bolu, aged about 50 years, Male, Son of Puran Paswan, Resident of Village - Nipania Dhanuk Tola, P.S.- Barhara, Distt – Purnea ... Petitioners

Versus

The State of Bihar

... Opposite Party

Appearance :

For the Petitioners : Mr. Ram Prawesh Kumar, Adv.
For the Opposite Party : Mr. Jagdhar Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 20-08-2019 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the state.

The petitioners seek pre-arrest bail in connection with Barhara P.S. Case No. 67 of 2019 pending in the Court of the Judicial Magistrate, 1st Class, Purnea, for the offence alleged under Section 392 of the Indian Penal Code.

The accusation is that while informant, Ved Prakash Kumar, was going for collection of amount, in the way three persons came on Apache motorcycle and took the motorcycle of the informant, in the dicky of which Rs.81783/- was kept. The informant has detailed the physique of the culprits in the first information report.



The learned counsel for the petitioners submits that the petitioners are not named in the first information report. The names of both the petitioners have surfaced in the confessional statement of the co-accused, Lalo Yadav, who was apprehended by the police in course of investigation. First information report of this case indicates that informant has claimed to identify the culprits.

Learned Additional Public Prosecutor for the State opposes the prayer for pre-arrest bail.

Having regard to the facts and circumstances of the case, I am not inclined to grant the privilege of pre-arrest bail to the petitioners. The prayer for pre-arrest bail is **rejected**. The petitioners are directed to surrender before the Court below and seek regular bail, which will be considered on its own merit and without being prejudiced of this order.

(Rajendra Kumar Mishra, J)

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