

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55866 of 2019

Arising Out of PS. Case No.-280 Year-2019 Thana- FORBESGANJ District- Araria

TALIB @ TALMA, aged about 65 years, Male, Son of late Taib, Resident of
Village - Baturbari, P.S.- Tarabari, Distt – Araria ... Petitioner
Versus

THE STATE OF BIHAR ... Opposite Party

Appearance :

For the Petitioner : Mr. Mukesh Kumar Rana, Adv.
For the Opposite Party : Mr. Rana Randhir Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 03-09-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the state.

The petitioner seeks pre-arrest bail in connection with Forbesganj (Simraha) P.S. Case No. 280 of 2019, pending in the Court of the Chief Judicial Magistrate, Araria, for the offences alleged under Sections 379 and 511/34 of the Indian Penal Code.

The accusation is that after taking the dinner in the evening of 23.03.2019 the informant, Mukesh Kumar Yadav, slept in his house. In the mid night he heard the sound of khat-khat and woke-up, reached the cattle shed and saw 4-5 persons were carrying his three she buffaloes. On raising alarm villagers reached there and on chase one person was apprehended with his three buffaloes, who disclosed his name as Lakhan Ram and also disclosed the names of four persons,



including the petitioner, as his associates, indulged in committing the theft of buffaloes.

The submission of the learned counsel for the petitioner is that the name of the petitioner appears in the confessional statement of the co-accused.

Petitioner appears to be accused in Kursakanta P.S. Case No. 132 of 2018 of similar nature in which he is on bail.

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 petitioner. The prayer for pre-arrest bail is **rejected**. The petitioner is 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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