

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61540 of 2019

Arising Out of PS. Case No.-138 Year-2019 Thana- CHACKMENSI District- Samastipur

Md.Abdul Gani @abdool Gani Son of Md. Rahim @ Abdul Rahim Resident
of Village - Belsandi Dih, P.S.- Chakmeshi, Distt - Samatipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar Singh, Advocate
For the Opposite Party/s : Mr.Rajendra Nath Jha, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 27-11-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has filed the instant application for grant of bail in a case registered for the offence under sections 341,379,384,385,447,504,506 and 34 of the Indian Penal Code, sections 25(1-B) (a) and 26 of the Arms Act and sections 37(A), 37(B) and 37(C) of the Bihar Prohibition and Excise Act, 2016

As per the allegation in the FIR, while the three persons made an attempt to commit theft in the house of the informant, out of them one person i.e. the petitioner was caught by the villagers at the place of occurrence.

It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in this case because of past enmity between the petitioner and the informant



who are neighbours of the same village. It is further submitted that the petitioner is in custody since 04.08.2019 and has no criminal antecedent.

The application for bail has been opposed by learned APP for the State submitting that the witnesses in course of investigation has supported the allegation against the petitioner.

Having heard learned counsel for the parties and taking into consideration the nature of allegation, the Court is not inclined to enlarge the petitioner on bail and as such his prayer for bail is rejected.

However, taking into consideration the facts and circumstances of the case, if so advised, the petitioner may renew his prayer for bail after completing six months in custody.

(Partha Sarthy, J)

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