

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61532 of 2019

Arising Out of PS. Case No.-41 Year-2012 Thana- MOHANIYA District- Kaimur (Bhabua)

SHAHNAWAJ ANSARI Son of Sharafat Ansari Resident of village- Sahid
Market Ward No. 07, Mohania, P.S.- Mohania, District- Kaimur at Bhabua.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajani Kant Pandey

For the Opposite Party/s : Mr.Dr. Kumar Uday Pratap

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 26-09-2019 Heard learned counsel for the parties.

The petitioner is apprehending his arrest in connection with Mohania P.S.Case no.41 of 2012 registered for offences punishable under Section 392 of the Indian Penal Code.

As per the FIR, the petitioner is not named in the FIR and the FIR discloses that some miscreants on the gun point looted Rs.1,02,000/- from the possession of the mother of the informant.

Submission of the learned counsel for the petitioner is that there is nothing available on the record to show that as to how he has been made accused in this case except the information supplied by the spy and as he had no information earlier, he could not appear earlier.

Heard learned A.P.P. , who has opposed the prayer for bail



on the ground of nature of the allegation and also the case is of the year, 2012.

Having heard both sides and in view of the facts and circumstances, as stated above, this application is disposed of with direction to the petitioner to surrender before the learned court below and make prayer for regular bail, which will be considered by the learned court below on the basis of of materials available on the record especially on the background of the submission that except the spy report there is nothing against him and considering the same he will pass appropriate order without being prejudiced by the order of this Court and if possible to be disposed of on the same day.

With the aforesaid direction, this application is disposed of .

(Vinod Kumar Sinha, J)

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