

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58530 of 2019

Arising Out of PS. Case No.-215 Year-2019 Thana- MAKHDUMPUR District- Jehanabad

1. RAJU BHAGAT @ RAJU KUMAR, aged about 25 years, Male, Son of Shankar Mali @ Shankar Bhagat @ Shankar Malakar, Resident of Village-Sagarpur, P.S.-Makhdumpur, District-Jehanabad.
2. Shankar Mali @ Shankar Bhagat @ Shankar Malakar, aged about 64 years, Male, Son of Late Doman Bhagat, Resident of Village-Sagarpur, P.S.-Makhdumpur, District-Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rakesh Kumar
For the Opposite Party/s : Mr.Md. Fahimuddin

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 20-09-2019 Heard both sides.

The petitioners apprehend their arrest in Makhdumpur P.S. Case No.215 of 2019, registered under Sections 461, 379, 411 and 34 of the Indian Penal Code.

The informant, Kamlesh Kumar disclosed that frequent theft was committed in his godown. On 16.05. 2019, the petitioners saw five persons inside the premises of the godown and on search one Anand Das was apprehended. Anand Das disclosed the names of four other persons including the two petitioners that they all had come to commit theft in the godown of the informant.

Learned counsel for the petitioners submits that



petitioner no.1 is the son of petitioner no.2. Petitioner no.2 is an old man. They never committed any theft and the names of the petitioners have been implicated in this case with ulterior motive to grab the lands of the petitioners but it appears that none else than the thief, who was apprehended on the spot while he had entered into the premises to commit theft, disclosed the name of the petitioners.

Taking into consideration the facts, I am not inclined to enlarge the petitioners on anticipatory bail. Accordingly, the prayer for anticipatory bail of the petitioners is rejected.

(Prabhat Kumar Jha, J)

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