

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61769 of 2019

Arising Out of PS. Case No.-202 Year-2019 Thana- JOKIHAT District- Araria

JAHANGIR @ JAHAGIR, aged about 37 years, Male, Son of Irsad Hajam @ Irsad, Resident of Village-Turkeli Bhagwanpur, P.S-Mahalgaon, District-Araria ... Petitioner

Versus

The State of Bihar ... Opposite Party

Appearance :

For the Petitioner : Mr. Md. Ziaul Quamar, Adv.
For the Opposite Party : Mr. Ganesh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 14-10-2019 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the state.

The petitioner seeks pre-arrest bail in connection with Jokihat P.S. Case No. 202 of 2019, pending in the Court of the Chief Judicial Magistrate, Araria, for the offences alleged under Sections 341, 342, 334, 385, 386, 379 and 34 of the Indian Penal Code.

The accusation is of loot of 200 bags cement of informant loaded on tractor in the way by three unknown persons stopping the tractor and carrying him on motorcycle by one person.

Submission is that in course of investigation, one Akhtar @ Abdullah was apprehended on the basis of the close circuit television camera footage, who confessed his guilt and disclosed the names of his two associates, indulged in the



offence and on his disclosure the cement bags were recovered from the house of the petitioner.

The submission of the learned counsel for the petitioner is that in fact the petitioner approached by co-accused, Akhtar @ Abdullah, for purchasing the cement at a low price and the petitioner purchased the same as he was not aware about that bags of cement are stolen article.

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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