

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67983 of 2019

Arising Out of PS. Case No.-38 Year-2017 Thana- EKANGARSARAI District- Nalanda

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KAMESHWAR ROY Son of Jagdeo Roy Resident of Village- Kutubpur, P.S.-
Bidupur, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Prem Ranjan Kumar

For the Opposite Party/s : Mr.Shyam Bihari Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 25-10-2019 This application, for grant of anticipatory bail,

arises out of Ekangar Sarai P.S. Case No. 38 of 2017, disclosing

offences under Section 395 of the Indian Penal Code.

Allegation as per F.I.R. is that some miscreants looted

away the truck and the articles kept in the truck after abducting

the driver.

Submission of learned counsel for the petitioner is

that he is not named in the F.I.R, his name has been dragged in

this case during course of investigation. Further submission is

that nothing has been recovered from possession of the

petitioner and he has no criminal antecedent.

Learned counsel for the State opposed the prayer for

bail and submitted that in such type of cases, unless the

petitioner appears and put on T.I.P., no useful purpose will be



served and investigation is still going on.

Having heard both sides, considering the facts and circumstances , I am not inclined to grant the privilege of anticipatory bail to the petitioner rather petitioner has to surrender before the court below and make prayer for regular bail and if any such application is filed, the court below will dispose of the same on the merit of the case, without being prejudiced by this order.

This application is, accordingly, dismissed

(Vinod Kumar Sinha, J)

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