

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.78550 of 2018

Arising Out of PS. Case No.-148 Year-2018 Thana- KATRA District- Muzaffarpur

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1. Deepak Kumar @ Deepak Sah, son of Dilip Sah, resident of Village-Singhwari, P.S.-Katra, District-Muzaffarpur.
 2. Nitish Kumar @ Nikesh Sah, son of Ram Sewak Sah, resident of Village-Singhwari, P.S.-Katra, District-Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shashi Bhushan Singh, Advocate

For the Opposite Party/s : Mr. Mithilesh Kumar Khare, A.P.P.

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 09-01-2019 Heard the parties.

The petitioners seek anticipatory bail in connection with Katra P.S.Case No. 148 of 2018, registered for offences punishable under Sections 452, 380, 411and 34 of the Indian Penal Code and 27 of Arms Act.

Allegation against the petitioners as per F.I.R. is of commission of theft in the house of the informant and on hulla, petitioners fled away and one co-accused Arun Kumar Sah was apprehended and he disclosed the name of these petitioners.

Submission of the learned counsel by the petitioners is that the name of the petitioners transpire on the statement of co-accused and nothing has been recovered from their



possession and they have no criminal antecedents and they are co-villagers.

Learned A.P.P. opposes the prayer for bail.

Having heard both sides and in view of the facts and circumstances as discussed above, I am not inclined to grant bail to the petitioners, accordingly, prayer of anticipatory bail is rejected with a direction to the petitioners that if the petitioners surrender before the court below within a period of six weeks from the date of receipt of order and make prayer for regular bail, the same will be considered by the learned court below on its own merit without being prejudiced by this order of this Court and if possible to be disposed of on the same day.

This application is accordingly dismissed.

sudha/-

(Vinod Kumar Sinha, J)

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