

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7238 of 2020

Arising Out of PS. Case No.-721 Year-2019 Thana- MOTIHARI TOWN District- East
Champaran

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BADAL SAHANI @ RANA Son of Rameshwar Sahani Resident of Village -
Raghunathpur, P.S.- Turkauliya, District- East Champaran

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Dilip Kumar Tondon, Advocate
For the Opposite Party/s : Mr.Mritunjay Kumar Nirala, APP

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 02-07-2020 As of now the Courts have not resumed normal physical

hearing, the matter has been listed today for consideration through

Video Conferencing.

The learned counsels are appearing and making
submissions from their residence. The Court Master and Secretary
are also part of this virtual court proceedings from their homes, all
with the aid of audio visual technology.

Heard learned Counsel for the petitioner and the learned
Counsel for the State.

Petitioner apprehends arrest in Motihari Town PS Case
No. 721 of 2019 registered under Section 394 of the IPC.

At 2 AM in the morning co-accused Abinash Kumar was
caught by the informant while others succeeded in fleeing away.
They were indulging in theft.

Learned Counsel for the petitioner submits that other than
statement of the said Abinash Kumar, implicating the petitioner, there
is nothing on record to connect the petitioner with the theft. No
recovery of incriminating material has been made so as to even



suspect petitioner’s involvement.

Learned APP for the State referring to supplementary affidavit filed on behalf of the petitioner has submitted that earlier also the petitioner has been implicated in three cases, out of which two are of similar nature. His name has been taken by co-accused who has been arrested on the spot.

Having considered the rival submissions this Court does not find it a fit case for grant of anticipatory bail.

The application is rejected.

(Madhuresh Prasad, J)

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