

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7177 of 2020

Arising Out of PS. Case No.-94 Year-2019 Thana- BALIA BELON District- Katihar

1. Pradip Roy, Son of Late Narayan Roy, Resident of Village - Unnasho Pachgachi, P.S.- Baliya Belon, Distt - Katihar.
2. Dhiren Roy, Son of Late Narayan Roy, Resident of Village - Unnasho Pachgachi, P.S.- Baliya Belon, Distt - Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimal Kumar

For the Opposite Party/s : Mr.Harendra Prasad

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 02-03-2020 Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in connection with Baliya Belon P.S. Case No. 94 of 2019 for the offence under Sections 448, 341, 323, 354, 504, 506/34 of the Indian Penal Code.

Allegation against these petitioners is that they were involved in theft of motorcycle.

Learned counsel for the petitioners submits that there is delay of five days in lodging the F.I.R. He further submits that the petitioners and the informant are Gotia.

Considering the aforesaid, the petitioner no.2, **Dhiren**



Roy, in the event of arrest or surrender before the court below within one month from today, is directed to be released on bail on furnishing bail bonds of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Katihar in connection with Baliya Belon P.S. Case No. 94 of 2019 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

So far as petitioner no.1, namely, Pradip Roy, is concerned, he was earlier made accused in similar nature of case and, as such, the Court is not inclined to grant anticipatory bail to him. Accordingly, his prayer for grant of anticipatory bail is rejected. However, he may surrender before the court below within one month from today and prays for regular bail, which would be considered and disposed of on the same day without being prejudiced by the order of this Court.

(Anil Kumar Upadhyay, J)

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