

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21385 of 2020

Arising Out of PS. Case No.-35 Year-2018 Thana- LALGANJ District- Vaishali

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MINTU PASWAN @ MINTU KUMAR Son of Shri Machu Paswan Resident
of Village- Manora, P.S.- Vaishali (Belsar O.P.), District- Vaishali.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anil Kumar

For the Opposite Party/s : Mr.Braj Kishore Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

5 18-09-2020 Heard learned counsel for the parties.

This application for anticipatory bail arises out of
Lalganj P.S. Case No. 35 of 2018, disclosing offences under
Sections 379 and 411 of the Indian Penal Code.

In brief, the allegation is that the informant's
motorcycle, which he had parked near a doctor's clinic, was
stealthily being taken away by two miscreants. When the
informant raised alarm, the miscreants were chased.
Coincidentally, the police reached at the place of occurrence. On
seeing the police one of the miscreants, who was the pillion
rider, managed to flee away whereas the other was apprehended.
The person, who was apprehended disclosed the petitioner's
name as the one who had fled away.



Learned counsel appearing on behalf of the petitioner has submitted that the confessional statement of co-accused is the only basis to connect the petitioner in the offence.

Be that as it may, considering the nature of the crime in which the petitioner has been implicated and the fact that the petitioner has criminal antecedent, I do not consider it to be a fit case for grant of anticipatory bail since his custodial interrogation by the police may be required for and the effective investigation into the crime.

This application is dismissed.

However, the petitioner is directed to surrender before the Court below within four weeks from today and seek regular bail, if so advised. If he does so, his application for regular bail shall be considered on its own merit without being prejudiced by rejection of the present application for grant of anticipatory bail by this Court.

(Chakradhari Sharan Singh, J)

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