

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.721 of 2020

Arising Out of PS. Case No.-311 Year-2019 Thana- PATLIPUTRA District- Patna

MD. SAHEB S/o Md. Jamaluddin R/o- Mohalla- Nawgharwa, P.S.-
Sultanganj, Distt- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Kumar Mouar

For the Opposite Party/s : Mr.Jai Narain Thakur

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 23-01-2020

This application, for grant of anticipatory bail, arises out of Patliputra P.S. Case No. 311 of 2019, disclosing offences under Section 394 of the Indian Penal Code.

As per prosecution case, there is allegation of snatching golden ear ring, chain and other articles by three miscreants, while the informant was coming in a auto rickshaw.

Submission of learned counsel for the petitioner is that petitioner is not named in the F.I.R, later on he has been made accused on confession of co-accused and except confessional statement of co-accused, there is absolutely nothing against the petitioner. Further submission is that he has no criminal antecedent and has falsely been made accused in this case.

Learned counsel for the State opposed the prayer for



anticipatory bail on the ground that in these type of cases, appearance of accused is required for Test Identification Parade.

Having heard both sides, considering the facts and circumstances of the case, 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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