

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39329 of 2021

Arising Out of PS. Case No.-20 Year-2021 Thana- DULHIN BAZAR District- Patna

1. MINTU KUMAR S/O SHRI ASHOK KUMAR YADAV R/O VILLAGE-MAHAJPURA, P.O-SABBALPUR, P.S NADI, PATNA
2. RISHI KUMAR S/O SHRI ASHOK KUMAR YADAV R/O VILLAGE-MAHAJPURA, P.O-SABBALPUR, P.S NADI, PATNA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjiv Sharan, Adv.

For the Opposite Party/s : Mr.Damodar Prasad Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 03-03-2022 Heard the parties.

Learned counsel for the petitioners undertakes to remove the defects as pointed out by the office, within four weeks of resumption of normal court proceedings. In the eventuality of non-removal of defects within stipulated period, the office will place the matter before the Bench.

The petitioners apprehend their arrest in connection with Dulhin Bazar P.S. Case No.20 of 2021, registered for the offence punishable u/s 379 of the Indian Penal Code.

Allegedly, as per the FIR, the tractor of the informant has been stolen away by some unknown miscreants.

It is submitted by learned counsel for the petitioners that



petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case. The FIR is lodged against unknown but one of the co-accused, in his confession, has taken the name of the petitioners but the petitioners have inimical term with the said co-accused. Neither the alleged tractor nor any incriminating article has been recovered from the conscious physical possession of the petitioners. Petitioners have one criminal antecedent, as mentioned in para-3 of the supplementary affidavit.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, I am not inclined to grant the privilege of anticipatory bail to the petitioners named. The prayer for bail is hereby rejected.

Accordingly, the instant application is dismissed.

However, petitioners are directed to surrender before the learned Court below within six weeks from today and seek regular bail and the learned Court below would pass the order, preferably, on the same day, in accordance with law.

(Anjani Kumar Sharan, J)

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