

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63868 of 2021**

Arising Out of PS. Case No.-107 Year-2017 Thana- GOPALGANJ TOWN District-
Gopalganj

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JUMMA SAI Son of Ida Sai Resident of Village - Arar, P.S.- Gopalganj,
Distt.- Gopalganj, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sumit Shekhar Pandey
For the Opposite Party/s : Mr.Shyameshwar Dayal

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 24-05-2022 Heard learned counsel for the petitioner and the State.

Petitioner apprehends his arrest in a case registered
for the offence punishable under Section 379/413/414 of the
Indian Penal Code.

As per the prosecution case, accused persons were
unloading articles from the truck and keeping the same in their
house. On chase, one of the accused, Noor Hasan, was
apprehended who disclosed that he along with this petitioner
used to commit theft of articles from truck and sell the same in
low price.

Learned counsel appearing for the petitioner submits
that petitioner is not named in the FIR. The name of petitioner
has come in this case during the course of investigation in the



confessional statement of co-accused, Noor Hasan. No incriminating article has been recovered from the possession of the petitioner. It is submitted that though the petitioner has got criminal antecedent of two cases but in both cases he is on bail.

Learned counsel appearing for the State opposes the prayer for anticipatory bail. He submits that the petitioner has got criminal antecedent.

Considering the criminal antecedent of the petitioner, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Singh, J)

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