

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66805 of 2021

Arising Out of PS. Case No.-146 Year-2020 Thana- RAHIKA District- Madhubani

NAIYAR IMAM Son of Late Muzaffar Imam @ Neta Jee Resident of Village- Balasat, P.S.- Nanpur, District- Sitamarhi, at present resident of Village- Teliya Pokhar, P.S.- Mabbi O.P., District- Darbhanga.

.. ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 67408 of 2021

Arising Out of PS. Case No.-146 Year-2020 Thana- RAHIKA District- Madhubani

1. LAKSHMI SAH Son of Late Baidyanath Sah Resident of Village - Belmohan, P.S.- Pupri, District - Sitamarhi. At present Resident of Village - Teliya Pokhar, P.S. - Sadar (Mabbi O.P.), District - Darbhanga.
2. Govind Sahni Son of Sukdeo Sahni Resident of Village - Teliya Pokhar, P.S. - Sadar (Mabbi O.P.), District - Darbhanga.

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Virendra Kumar
For the Opposite Party/s : Mr.Manoj Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 19-07-2022 Heard learned counsel for the petitioners and learned APP for the State.

The instant application has been filed by the petitioners apprehending their arrest in connection Rahika P.S. Case No. 146 of 2020 for the offence punishable under Section 379 of the Indian Penal Code.

As per allegation in the FIR, the petitioners are accused of theft of tractor with tailor, which was parked in front



of their shop. The said tractor was found parking in front of shop of the petitioners in the CCTV camera and thereafter it eloped.

Learned counsel for the petitioners has submitted that there is no direct evidence of theft against the petitioners. Their names surfaced in the case only on suspicion. They are innocent and have committed no offence of theft.

Learned APP for the State has opposed the prayer for anticipatory bail of the petitioners. He submitted that the petitioners are habitual offender. A large number of cases of similar nature are pending against them, and thus, they do not deserve anticipatory bail.

Considering the facts and circumstances of the case and the fact that the petitioners are habitual offender and a large number of cases of similar nature are pending against them, I am not inclined to grant them anticipatory bail. Their prayer for grant of anticipatory bail is rejected.

(Sunil Kumar Panwar, J)

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