

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51839 of 2023

Arising Out of PS. Case No.-113 Year-121 Thana- DERNI BAZAR District- Saran

1. Jitu Kumar Son Of Nandkishore Sah, Resident Of Village- Jahangirpur, P.S.- Sonpur, Distt- Saran
2. Dilip Sah @ Dilip Kumar Son Of Nandkishore Sah, Resident Of Village- Jahangirpur, P.S.- Sonpur, Distt- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mohit Raj, Advocate

For the Opposite Party/s : Mr. Rajiv Nayan, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 19-08-2023 Heard learned Counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners are apprehending their arrest in connection with Derni P.S. Case No. 113 of 2021 dated 12.07.2021, lodged under Sections 457 and 380 of the Indian Penal Code.

3. As per prosecution case, unknown accused persons entered into the house of the informant on 11.07.20221 at night and stole ornaments alongwith rupees 2 lac cash when the informant was sleeping with his family.

4. Learned counsel for the petitioners submits that petitioners are innocent and have committed no offence. He further submits that petitioners have no criminal antecedent.

Counsel further submits that petitioners have been made accused in this case on the basis of confessional statement of co-accused and entire allegation is general and omnibus in nature.

5. Learned A.P.P. for the State opposes the prayer for bail.

6. Considering the nature and gravity of the offence, this Court is not inclined to extend the privilege of anticipatory bail to the petitioners in connection with Derni P.S. Case No. 113 of 2021 to the satisfaction of learned A.C.J.M.Ist, Saran at Chapra.

7. Accordingly, the prayer for anticipatory bail of the petitioners stands rejected.

8. However, the learned Court below shall consider the prayer for regular bail of the petitioners, if the petitioners surrender within a period of four weeks.

9. The present order shall not cause any prejudice to the petitioners.

(Dr. Anshuman, J.)

ravishankar/-

U		T	
---	--	---	--