

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51300 of 2024

Arising Out of PS. Case No.-271 Year-2023 Thana- KALYANPUR District- Samastipur

Gulab Rai @ Gulab Kumar Son of Amir Lal Ray R/o Village- Balha Urf
Belahi Piar, P.S.- Piyar, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Uday Prakash Sharma, Adv.

For the Opposite Party/s : Mr. Satyendra Narayan Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

3 31-01-2025 Heard the parties.

2. The petitioner apprehends his arrest in connection with Kalayanpur P.S. Case No. 271 of 2023 for the offence registered under sections 380, 457 of the IPC and later on Section 411, 414/34 has been added, lodged on 05.09.2023 by the informant Lal Babu Kumar.

3. As per the prosecution story, the informant alleged that when he was sleeping, the unidentified theft took away the belongings and later, they came to know that the similar incident took place in other houses of the village. Accordingly, the FIR.

4. In this case, case diary and the criminal antecedent report were called for and learned APP has taken this Court to the confessional statement of Bhola Rai to show active participation of this petitioner.



5. Learned counsel for the petitioner submits that Bhola Rai has been granted bail by this Court.

6. Learned APP counters it by submitting that the bail has been granted to Bhola Rai whereas the petitioner has come for the grant of anticipatory bail.

7. Considering the submissions of the parties as also the fact that the detail is there on the confession of Bhola Rai and subsequent thereto, a stolen mobile was also recovered from one Raja Babu Kumar who according to the prosecution, got the same from Bhola Kumar Rai, it would be appropriate that the petitioner surrenders and seek bail.

8. No relief can be granted, the petition stands rejected.

9. If the petitioner surrenders within four weeks from today, the Court concerned shall take up the matter and dispose it of without being prejudiced by any observation being made out.

(Rajiv Roy, J)

Vijay Singh/-

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