

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77716 of 2019

Arising Out of PS. Case No.-701 Year-2019 Thana- BUXAR District- Buxar

1. Munni Devi, aged about 40 years, Female, W/O- Late Jhuna Singh
2. Soni Devi @ Sono Devi, aged about 38 eyars, Female, W/O- Late Buchan Rajbhar, both R/O Mohalla - Shantinagar, P.S. - Buxar (Town), District - Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Kumar Pradhan, Advocate

For the Opposite Party/s : Mr.Aditya Narayan Singh.1

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 29-11-2019 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Buxar (Town) P.S. Case No. 701 of 2019 registered for the offences punishable under Sections 461, 379, 411, 414, 34 of the Indian Penal Code.

As per the F.I.R., the prosecution case in nut shell is that on 01.10.2019 in the night thief climbed on the Roof of Shop namely Siv Shakti Traders (Hardware Shop) of Tribhuwan Nath Pathak, informant and has stolen 3 pieces of 20 Feets Tata Pipe “1 ¼ Inch Iron Pipe”, 3 pieces of 10 Feets Tata Pipe “1 ¼ Inch Iron Pipe, 2 Bundles Role Pipe. In the morning, when he



came at his Shop then found that above mentioned articles have been theft. He searched on his own level and found and recovered 2 pieces of 20 Feets Tata Pipe, 01 Bundle Role Pipe, 3 pieces of 10 Feets Tata Pipe from the house of Munni Devi bearing Mobile No.9661746216 and 01 piece 20 Feets Pipe & 01 Bundle Role Pipe from the house of Sona Devi bearing Mobile No.7739228759. On inquiry, above named two women disclosed that such recovered stolen articles have been kept by Ajay Rajbhar @ Nandjee Rajbhar, 2.Jitu @ Bhuwar Dom & 3.Mjintu Ram. Thereafter, informant's side went to the above mentioned three (03) thieves one by one and caught them and informed to Buxar (Town) P.S. Thereafter, police came and prepared Search-cum-Seizure list.

Learned counsel for the petitioners submits that the allegation against the petitioners is that 3 pieces of 20 Feets Tata Pipe "1 ¼ Inch Iron Pipe", 3 pieces of 10 Feets Tata Pipe "1 ¼ Inch Iron Pipe", 2 Bundles Role Pipe from the house of the petitioners and investigation is still pending.

There is recovery from the conscious possession of the petitioner.

In the facts and circumstances, I am not inclined to grant anticipatory bail to the petitioners. Accordingly, the prayer



for anticipatory bail of the petitioners is hereby rejected.
However, the petitioners above named are directed to surrender
before the court below and pray for regular bail. The learned
court below is directed to pass the order on the same day
without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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