

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38410 of 2014

Arising Out of PS.Case No. -165 Year- 2013 Thana -AGAMKUAN District- PATNA

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Shankar Kumar Yadav @ Shankar Kumar , son of Om Prakash Yadav,
resident of village Mahaveer Asthan Daudbigaha, Police Station – Agam
Kuan, District - Patna

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dr. Manoj Kumar

For the Opposite Party/s : Mr. Ajit Kumar(App)

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 04-03-2015 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor.

The petitioner, is seeking grant of anticipatory bail in
connection with Agam Kuan P.S. Case No.165 of 2013 registered
for the offence under Section 147, 447, 323, 354/ 34 of the Indian
Penal Code.

Learned counsel for the petitioner accepts that the
petitioner during investigation was on police bail and he never
misused the privilege of bail.

Learned counsel for the petitioner submits that he is
conscious of the fact that in such cases anticipatory bail is not
maintainable and he has placed reliance on an order dated
20.3.2014 passed in a case of co- accused of this case vide Cr.
Misc. No. 987 of 2014 whereby this court has not entertained the

anticipatory bail petition. However, a prayer is being made that this court may also observe in similar manner as has been indicated in the order dated 20.3.2014 which is quoted hereinbelow:-

“However, the petitioner is directed to surrender in the court below in connection with Agam Kuan P.S. Case No. 165 of 2013, pending in the court of learned Additional Chief Judicial Magistrate, Patna City, District - Patna , within a period of four weeks from today and make a prayer for regular bail. If such a prayer is made on behalf of the petitioner, then the same shall be heard and decided strictly in accordance with law in the light of the ratio laid down by this court in the cases of **Mahendra Prasad Singh vs. State of Bihar** [2004(3) PLJR 491] as also **Bishundeo Sahu vs. State of Bihar** (Supra) particularly paragraph – 18.

Accordingly, the present petition stands disposed of in same terms.

(Rakesh Kumar, J)

Praful/-

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