

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9105 of 2015

Arising Out of PS.Case No. -53 Year- 2011 Thana -AIRPORT District- PATNA

Ain Rashid S/o Anwar Rashid Resident of - Khajpura, B.V. College, Patna Bihar, At present resident of Niyaz Ahamd, Ummehani Plaza, P.O. and P.S. Phulwari Sharif, Dist. Patna, residing at New Industrial Area, Shairjah, P.O. Box 41563, P.S. Sharjah, UAE

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mira Kumari, Advocate

For the Opposite Party/s : Mr. Binod Kumar No. 2(App)

CORAM: HONOURABLE MR. JUSTICE AKHILESH CHANDRA
ORAL ORDER

2 11-03-2015

Heard.

This is second attempt on behalf of the petitioner, whose prayer earlier after some argument smelling refusal of the prayer was withdrawn on 14.11.2011 in Cr. Misc. No. 27849 of 2011 with a liberty to surrender before the Court below within a fortnight for a prayer of regular bail but in stead of doing so fresh application has been filed.

In view of the above, there appears no reason to entertain the present application. It cannot be accepted that in spite of direction of a Bench of this Court vide order dated 18.09.2014 in CWJC No. 11825 of 2014 (Annexure-9), the petitioner could not be able to surrender before the Court below and get adequate relief in accordance with law.

Accordingly, the prayer of anticipatory bail on behalf of the petitioner in connection with **Hawai Adda P.S. Case No. 53 of 2011**, pending before the **Judicial Magistrate, 1st Class, Patna** is hereby refused with a direction to surrender before the Court below immediately and seek regular bail which shall be considered on its own merit in accordance with law.

(Akhilesh Chandra, J)

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