

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15641 of 2015

Arising Out of Complaint Case No. -723 C Year- 2013 District- MUNGER

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Durga Das Mahanth S/o Late Pancham Das, Chief Mahanth, resident of
Sri Yogmaya, Bari Durga Mandir, Udasin Ashram, Jamalpur, P.S.-
Jamalpur, Distt- Munger

.... Petitioner

Versus

1. The State of Bihar
2. Shyam Sundar Shah S/o Late Laxman Shah resident of Mohalla- Olipur
(Naya Tola), P.O & P.S- Jamalpur, Distt- Munger.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Shree Ganesh, Adv.

For the Opposite Party/s : Dr. Rabindra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE AMARESH KUMAR LAL
ORAL ORDER

2 29-04-2015 This application has been filed for grant of anticipatory

bail to the petitioner in Complaint Case No. 723 C of 2013 for the

offence punishable under Sections 323, 406/34 of the Indian Penal

Code.

It is submitted that the petitioner and six others had
moved this Court for grant of anticipatory bail vide Cr. Misc. No.
50248 of 2014 (Annexure-1) which was disposed of with a liberty
to the petitioners to move the Chief Judicial Magistrate, Munger/
court concerned who will pass the order in view of the direction
given by Hon'ble Supreme Court in the case of *Arnesh Kumar vs.*
State of Bihar & Anr., reported in *2014(3) PLJR 314(SC)*.

It is also submitted that Bhagwati Nandan Das @

Mahanth Bhagwati Nandan Das, Damodar Yadav, Santosh Sanghai, Manoj Yadav surrendered in the court of Chief Judicial Magistrate and out of whom three were granted bail but Bhagwati Nandan Das was not granted bail. The petitioner has not moved before the learned Magistrate in pursuance to the order dated 15.12.2014 (Annexure-1).

Considering the facts and circumstances, the petitioner may surrender in view of order contained in Annexure-1 and seek bail which will be considered by the learned Magistrate in view of the aforesaid decision of Hon'ble Supreme Court.

With the aforesaid observation, this application stands disposed of.

(Amaresh Kumar Lal, J)

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