

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3263 of 2015

Arising Out of PS.Case No. -200 Year- 2011 Thana -BABUBARHI District- MADHUBANI

Mushaharu Sahani, son of Fulo Sahani

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Jha

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

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 23-01-2015

Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioner apprehends his arrest in connection with
Babubarhi P.S. Case No. 200 of 2011 registered for the offences
punishable under Sections 376(2.g), 302, 201/34 of the Indian
Penal Code.

Taking into consideration that petitioner approached
the learned Sessions Judge in the year 2014 for grant of
anticipatory bail when co-accused, in whose confessional
statement the name of this petitioner came in light succeeded to
get acquittal in his favour, I am not inclined to grant the privilege
of anticipatory bail to the petitioner and accordingly, his prayer for
anticipatory bail in connection with Babubarhi P.S. Case No. 200
of 2011 pending in the court of Chief Judicial Magistrate,

Madhubani stands rejected.

However, if petitioner surrenders before the court below within four weeks from the date of receipt/production of copy of this order and seeks regular bail before the competent court, the concerned court shall consider the regular bail application of the petitioner on its own merit without being prejudiced by this rejection order.

(Hemant Kumar Srivastava, J)

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