

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2676 of 2015

Arising Out of PS.Case No. -141 Year- 2013 Thana -DARBHANGA District- DARBHANGA

Purushottam Jha, Son of Ram Naresh Jha, resident of Village-Dekuli,
Bahadurpur, P.S.-Laheriasarai, District-Darbhang.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhirendra Nath Jha, Advocate
For the Opposite Party/s : Mr. Anuj Kr.Srivastav, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

4 14-05-2015

Heard learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

This is an application seeking anticipatory bail in
connection with Town P.S. Case No. 141 of 2013, pending
before learned Chief Judicial Magistrate, Darbhanga,
registered for the offences punishable under Sections 302,
379, and 120(B)/34 of the Indian Penal Code.

Learned counsel appearing on behalf of the
petitioner has submitted that the petitioner was not named in
the First Information Report and his name has been cropped
up in course of investigation on the basis of mobile calls.
He has submitted that no material has come in course of
investigation on the basis of which, it can be said that the
petitioner committed the offence. Learned counsel for the

petitioner has drawn my attention to an order dated 03.03.2015, passed in Cr. Misc. No. 1108 of 2015, to submit that under similarly situated circumstance another co-accused persons, namely, Raju Jha @ Rajesh Kumar Jha, has been granted the privilege of anticipatory bail.

It appears from the submissions made on behalf of the parties that the processes have been issued against the petitioner, after having been declared absconder, under Sections 82 and 83 of the Code of Criminal Procedure. In my opinion, a person who is a proclaimed offender cannot be granted privilege of anticipatory bail.

In my opinion, once such processes have been issued, the application for anticipatory bail cannot be entertained. This application is, accordingly, rejected.

(Chakradhari Sharan Singh, J)

Praveen-II/-

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