

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33974 of 2014

Arising Out of PS.Case No. -53 Year- 2014 Thana -MOZAHIDPUR District- BHAGALPUR

1. Md. Rustam Son of Md. Noor Mistri, Resident of Mohalla -
Sakrullahchak, P.S. - Mojahidupur, District - Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajive Ranjan Singh

For the Opposite Party/s : Mr. U.S.P.Singh(App)

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

3 02-04-2015 Supplementary affidavit is filed on behalf of the
petitioner.

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

The petitioner apprehends his arrest in connection
with Mozahidpur (Babarganj) P.S. Case No 53 of 2014 registered
for the offence under Sections-307/34 of the Indian Penal Code
and Section-3/4 of the Explosive Substance Act.

No doubt, the petitioner is not named in the first
information report but in course of investigation, some witnesses
claimed to have seen the petitioner, committing the alleged crime.

Therefore, in my view, it is not a fit case for grant of
anticipatory bail and accordingly, prayer for anticipatory bail of

the petitioner in connection with of Mozahidpur (Babarganj) P.S.
Case No 53 of 2014 stands rejected.

However, if, the petitioner surrenders in the court
below and seeks regular bail, this order shall not cause any
prejudice to the learned court below at the time of consideration of
regular bail application of the petitioner.

(Hemant Kumar Srivastava, J)

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