

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52433 of 2013

Arising Out of PS.Case No. -67 Year- 2012 Thana –MUFFASIL
District- WEST CHAMPARAN(BETTIAH)

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Kaushal Kishore Pandey @ Pappu Pandey, Son Of Maharaj Pandey
Resident Of Village - Rampurwa, P.S. Yogapatti, District - West
Champaran

.... Petitioner/s

Versus

The State Of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pathak Dhananjay Kumar, Advocate

For the Opposite Party/s : Mr. T.N. Thakur (APP)

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CORAM: HONOURABLE THE CHIEF JUSTICE
ORAL ORDER

6 09-04-2015 The petitioner is alleged to have committed the offence punishable under Section 379 of the Indian Penal Code and was shown as accused in Bettiah Mufassil P.S. Case No.67 of 2012, which is pending in the court of learned Chief Judicial Magistrate, West Champaran, Bettiah.

Apprehending arrest, the petitioner filed A.B.P. No.783 of 2013 in the court of the Sessions Judge, Bettiah. The same was dismissed on 12.11.2013. Hence, this application for grant of anticipatory bail under Section 438 of Cr.P.C.

Heard learned counsel for the petitioner and learned A.P.P. for the State.

The allegation against the petitioner is that he committed

theft of the vehicle. Unless the petitioner is arrested and his statement is recorded, there cannot be fair investigation. The petitioner can surrender and move an application for bail.

This Court is, thus, not inclined to grant anticipatory bail to the petitioner. The application is dismissed, however, with an observation that in case the petitioner surrenders and files an application for regular bail, it shall be considered on its own merits.

(L. Narasimha Reddy,CJ)

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