

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32299 of 2015

Arising Out of PS.Case No. -8 Year- 2014 Thana -SITAMARHI District- SITAMARHI

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1. Md. Laddan S/o Md. Sobrati Raueen @ Md. Sobrati Resident of Mohalla janki Asthan, Ward No. 6, Sitamarhi Town, P.S. Sitamarhi, District Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pushpendra Kumar Singh

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

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CORAM: HONOURABLE MR. JUSTICE NAVANITI PRASAD SINGH
ORAL ORDER

2 02-09-2015 The petitioner's earlier anticipatory bail application was rejected-vide order dated 13-3-2015 in Cr. Misc. No. 36132 of 2014. This is the second attempt for bail in anticipation of arrest.

Mr. Yogesh Chandra Verma, learned senior counsel for the petitioner relies on the judgment of the Apex Court in the case of Ravindra Saxena Vs. State of Rajasthan, since reported in A.I.R.2010 (S.C.) 1225 to submit that repeated anticipatory bail applications are maintainable. I am afraid, I cannot accept the said submission because the Apex Court says so. All that the Apex Court says is that so long a person is not arrested, he has a right to apply for anticipatory bail. That is the elementary principle of law. There has to be apprehension of arrest to seek anticipatory bail.

However, Mr. Yogesh Chandra Verma submits that the matter has been compromised as between the parties.

Be that as it may, the petitioner may surrender before the court below, and pray for regular bail, as directed earlier, which shall take into consideration all the facts and circumstances and pass appropriate order.

(Navaniti Prasad Singh, J)

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