

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35340 of 2014

Arising Out of PS.Case No. -182 Year- 2008 Thana -KADWA District- KATIHAR

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Awadhesh Sah, Son of Madan Sah, Resident of Village Chaparhari, P.S.
Rupauli, District Purnea.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Praveen Kumar

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

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CORAM: HONOURABLE MR. JUSTICE DHARNIDHAR JHA
ORAL ORDER

2 11-02-2015

Heard.

It is the second attempt by the petitioner to obtain an order of bail under Section 438 Cr.P.C. His earlier prayer under the above noted section was also dismissed vide Annexure-1, an order passed in Cr. Misc. No. 45509 of 2008.

Regard being had to the facts of the case and the reasons assigned by the Court in its earlier order, I am not inclined to direct his release on anticipatory bail.

The prayer of the petitioner for grant of anticipatory bail is rejected in connection with Kadwa P.S. Case No. 182 of 2008, pending in the court of the learned Chief Judicial Magistrate, Katihar.

However, if the petitioner surrenders and prays for regular bail, the court or courts which happen to consider the

prayer for bail of the petitioner shall apply their independent mind
strictly as per the allegations and facts of the case.

(Dharnidhar Jha, J.)

Sanjay/-

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