

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30625 of 2013

Arising Out of PS.Case No. -191 Year- 2012 Thana -DIGHA District- PATNA

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Ajay Rai @ Vishal Yadav, S/o Sri Mohan Rai, Resident of Mohalla- Kurjee
Balu Par, P.S.- Digha, District- Patna

.... Petitioner

Versus

The State Of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner : Mr. Dharmendra Kumar Singh, Adv.

For the Opposite Party : Mr. Sunil Kr.Pandey(App)

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CORAM: HONOURABLE THE CHIEF JUSTICE
ORAL ORDER

4 01-04-2015 The petitioner figured as an accused in Digha

P.S. Case No.191 of 2012, wherein offences punishable

under Sections-147, 148, 149, 323, 307 and 379 of I.P.C.

were alleged.

Apprehending arrest, the petitioner filed

A.B.P. No.765 of 2013, in the court of learned Sessions

Judge, Patna. The learned Judge rejected the application

through order dated 20.6.2013. 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 petition was filed in the year 2013. It has

undergone various stages. On 30.9.2013, this Court

directed that pending the receipt of injury report, the

petitioners shall be granted provisional bail. Even by this time the injury report is not received. It only shows lack of seriousness on part of the prosecution or absence of any injury. Hence, this application is allowed. The order granting provisional bail shall be treated as an order granting anticipatory bail in connection with Digha P.S. Case No.191 of 2012, G.R. No.5534 of 2012, pending in the court of Miss. Akanksha Kashyap, learned J.M. 1st Class, Patna.

It is also directed that the Sr. S.P., Patna shall call for explanation from the concerned Station House Officer, as to why the injury report has not been submitted and if any lapse in that behalf is noticed, necessary action shall be taken.

(L. Narasimha Reddy,CJ)

K.C.jha/-

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