

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52571 of 2013

Arising Out of PS.Case No. -1329 Year- 1999 Thana -WEST CHAMPARAN COMPLAINT
District- WESTCHAMPARAN(BETTIAH)

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Ashok Kumar Mishra son of Shree Jagdish Mishra @ Jagdish Narain Mishra, resident of village-Behwaria, P.S.- Majhawlia, District- West Champaran

.... Petitioner/s

Versus

1.The State of Bihar

2. Kamlesh Mani Tiwari son of Late Phulmani Tiwari, resident of village Hardi Nadwa, Post- Manjhariya, P.S.- Chautarwa, District- West Champaran, at present Jila Pramukh Hindi Dainik, Dainik Jagraan, Ward No.3, Sonarpatti Christain Quarters, Bettiah, P.S.-Bettiah Town, District- West Champaran

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Advocate

For the State : Mr. Manish Kumar-II, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL ORDER

6 03-12-2015 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner seeks pre-arrest bail in connection with Trial No.182 of 2013 arising out of Complaint Case No.1329 of 1999 in which cognizance has been taken under sections 500 and 505 of the Indian Penal Code.

It is contended that the prosecution case has been filed on the basis of the news published in the daily newspaper “Aryawart” on 15th July, 1999. The contention of the petitioner is that the petitioner is a reputed journalist and there was nothing offensive in the news published in the local daily “Aryawart”.

Furthermore, the petitioner was not aware regarding pendency of the case as neither any summon nor anyailable warrant of arrest was ever served upon him between 1999 and April, 2013 and for the first time a non-ailable warrant of arrest was issued against him on 13th May, 2013, whereafter, he came to know about the institution of the present complaint.

Regard being had to the facts and circumstances of the case, the provisional anticipatory bail granted to the petitioner vide order dated 19.12.2013 is hereby confirmed.

(Ashwani Kumar Singh, J)

Md.S./-

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