

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1271 of 2015

Arising Out of PS.Case No. -221 Year- 2008 Thana -BHAGALPUR KOTWALI District-
BHAGALPUR

=====

Md. Haroon Khan, son of Late Abdul Hafeez Khan.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Md. Najmul Hodda

For the Opposite Party/s : Mr. Awadhesh Kr.Singh(App)

=====

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 15-01-2015

Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioner apprehends his arrest in connection with
Kotwali P.S. Case No. 221 of 2008 registered for the offence
punishable under Section 387 of the Indian Penal Code.

Petitioner is not named in the first information report
but his name came in this case in course of investigation. It would
appear from perusal of the impugned order that the petitioner was
absconding since long.

The explanation on behalf of the petitioner is that he
was suffering from kidney disease since long and that was the
reason he could not appear before the court below. Furthermore, it
is submitted that the petitioner was arrested in connection with
Kotwali P.S. Case No. 228 of 2008 but the police did not remand

the petitioner in the present case.

Regard being had to the facts and circumstances of the case as well as submissions of the parties particularly, keeping in mind that petitioner was evading his arrest since the year 2008 in connection with the present case, I am not inclined to grant the privilege of anticipatory bail to the petitioner and accordingly, his prayer for anticipatory bail in connection with Kotwali P.S. Case No. 221 of 2008 pending in the court of Sri V. N. Prasad, Judicial Magistrate 1st Class, Bhagalpur stands rejected.

However, if petitioner surrenders before the concerned court within four weeks from the date of receipt/production of copy of this order and seeks regular bail, the concerned court shall consider the regular bail application of the petitioner on its own merit without being prejudiced by this rejection order.

(Hemant Kumar Srivastava, J)

SHAHZAD/-

U		T	
---	--	---	--