

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26729 of 2014

Arising Out of PS.Case No. -219 Year- 2013 Thana -BIBHUTIPUR District- SAMASTIPUR

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1. Siya Ram Mahto, S/o - Ramashish Mahto, R/o vill - Dhaniya Pakahi,
P.S. - Bibhutipur, Dist - Samastipur.

.... Petitioner

Versus

1. The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Shubhesh Pandey, Adv.

For the Opposite Party/s : Mr. Kanhiya Kishore(App)

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CORAM: HONOURABLE THE CHIEF JUSTICE

ORAL ORDER

3 25-06-2015 The petitioner figured as accused in

Bibhutipur P.S. Case No.219 of 2013 wherein the offence

punishable under Sections-302/34 of I.P.C. was alleged

against him and certain others.

Apprehending his arrest, the petitioner filed

A.B.P. No.(R) No.9 of 2014 in the court of learned

Additional Sessions Judge, Samastipur. The same was

dismissed on 25.3.2014. Hence, this application for

anticipatory bail under Section-438 of Cr.P.C.

Heard learned counsel for the petitioner and

learned A.P.P. for the State.

An attempt is made by the learned counsel

for the petitioner to address arguments on merits by

referring to the purport of the post mortem and other

such documents.

This Court is not at all inclined to take such arguments to into account. Serious offence of murder has taken place. The question of granting anticipatory bail to the accused mentioned in the F.I.R. does not arise. The trial court has taken correct view of the matter and this Court is also not inclined to grant anticipatory bail to the accused.

Application is dismissed.

It is left open to the petitioner to surrender before the court below and move an application for regular bail.

(L. Narasimha Reddy,CJ)

K.C.jha/-

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