

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52804 of 2015

Arising Out of PS.Case No. -6 Year- 2015 Thana -SC/ST District- JEHANABAD

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Ramashish Prasad, Son of Late Ram Lakhan Prasad, Resident of Village
Manichak Tola, Manipur, P.O. Sandu, P.S. Islampur, District Nalanda.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Rama Kant Sharma, Sr. Advocate

: Mr. Lakshmi Kant Sharma, Advocate

For the Opp. Party : Mr. Ram Shankar Das, Spl. P.P.

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**CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR
TRIPATHI**

ORAL ORDER

2 10-11-2015

Submission of the learned senior counsel for the
petitioner is that petitioner has already been enlarged on police
bail. Merely because the Magistrate differed with the final form
filed by the police, therefore, he apprehends arrest.

Law on such facts has already been laid down by a
Bench of the High Court in the case of Mahendra Prasad Singh vs.
The State of Bihar, reported in 2004 (3) PLJR 491. The learned
single Judge has opined as under:-

*"5. In the facts of the case, petitioner must
honour the terms of police bail and appear before the Court
without any delay. In case, petitioner appears before the Court
below within six weeks then the Court below shall consider his
prayer for bail in accordance with law keeping in view the
well established principle that a person who is already on bail*

shall not be denied such privilege unless there is any allegations of misuse etc. With this observation this application for anticipatory bail is disposed of."

In view of the same, the present application is also disposed of. The case of the petitioner will be guided by the direction issued and quoted as above in Mahendra Prasad Singh's case.

(Ajay Kumar Tripathi, J.)

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