

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29882 of 2014

Arising Out of PS.Case No. -37 Year- 1994 Thana -SHIWAPATHI District- MUZAFFARPUR

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Ram Darash Rai, Son of Bhola Rai, R/o Village Raghai, P.S. Siwaipatti,
District Muzaffarpur

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner/s : Mr. Ganjendra Kumar Singh, Adv.

For the Opposite Party/s : Mr. Pradip Nr. Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA
ORAL ORDER

2 15-01-2015 Heard learned counsel for the petitioner and learned

counsel representing the State.

The petitioner, apprehending his arrest in connection with A.B.P. No. 990/2014 arising out of Siwaipatti P.S. Case No. 37/1994 registered for the offences punishable under Sections 147, 148, 323, 354, 504, 448 and 302 of the Indian Penal Code and 25(1-B)A and 27 of the Arms Act, seeks the privilege of pre-arrest bail.

It is submitted that against the petitioner chargesheet was not submitted and he was exonerated, which was accepted earlier but during session trial, after examination of some witnesses, summon has been issued under Section 319 Cr.P.C. against the petitioner and others and as such, the petitioner is

apprehending his arrest or detention. Similarly situated co-accused Nagendra Paswan has already been allowed pre-arrest bail by a Bench of this Court vide Cr. Misc. No. 12676 of 2014 and against the petitioner also there is no specific allegation of committing overt act.

In the facts and circumstances as stated above, the petitioner is directed to surrender in the court below and seek regular bail then in that case the petitioner shall be released on bail on execution of bail bond to the satisfaction of the court concerned with conditions as laid down under Section 438(2) Cr. P.C.

Accordingly, this application is disposed of with aforesaid direction.

(Jitendra Mohan Sharma, J.)

Vats/-

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