

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34826 of 2014

Arising Out of PS.Case No. -22 Year- 2006 Thana -GOVERNMENT OFFICIAL COMP. District-
GAYA

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Jabbar Mein @ Jabbar Mian, son of Riyaj Mein, R/O Village – Fatehpur,
P.S. – Imamganj, District – Gaya.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajeev Kumar Singh, Advocate.

For the Opposite Party/s : Mr. Uma Shankar Pd.Singh(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 18-03-2015 Heard both sides.

The petitioner apprehends his arrest in Sherghati Forest Case No. 22 of 2006, registered for the offences punishable under Sections 33(i)(iv), 41, 42, 63(c) of the Indian Forest Act and Section 2 of Forest Conservation Act.

The petitioner was not apprehended on the spot. It appears that the petitioner had earlier moved for anticipatory bail vide A.B.P. No. 67 of 2007, but the same was rejected. The petitioner did not move this Court immediately thereafter. The petitioner moved this Court only after seven years from the date of rejection of his anticipatory bail by the learned Sessions Judge.

Considering the facts aforesaid I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the same is rejected.

However, the petitioner, if so advised, may surrender before the court below within four weeks from the date of receipt/production of a copy of this order and pray for regular bail and his prayer shall be considered on its own merit without being prejudiced by this order taking into consideration that similarly situated co-accused namely Vishwanath Singh has already been enlarged on anticipatory bail by this Court vide order passed in Cr. Misc. No. 21252 of 2008.

(Prabhat Kumar Jha, J.)

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