

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42406 of 2014

Arising Out of PS.Case No. -140 Year- 2010 Thana -RUNISAIDPUR District- SITAMARHI

Sanjay Sah

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vindhya Keshari Kumar, Sr. Advocate

For the Opposite Party/s : Mr. Binod Kumar No. 2(APP)

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 16-04-2015 Mr. Vindhya Keshari Kumar, learned senior counsel appearing on behalf of the petitioner has submitted that the other co-accused persons similarly situated were put on trial in Sessions Trial No. 475 of 2010 arising out of Runnisaidhpur P.S. Case No. 140 of 2010 have been acquitted by the judgment and order dated 30.10.2012.

The petitioner is also an accused in said Runnisaidhpur P.S. Case No. 140 of 2010 and seeks anticipatory bail which was instituted for the offences punishable under Sections 147, 148,149,341,342,323,307,353,332, 186, 435,387, 427, 395 of the Indian Penal Code and Section 27 of the Arms Act as well as Section 17 Criminal Law Amendment Act.

Learned Senior counsel appearing on behalf of the petitioner has submitted that the petitioner could not participate in

course of trial as he was away in Gujarat in connection with his job.

I am not persuaded with the submission for the purpose of grant of privilege of anticipatory bail to the petitioner as the present application has been filed after nearly five years of the institution of the case.

This application is accordingly, dismissed.

Petitioner is directed to surrender before the Court of learned Chief Judicial Magistrate, Sitamarhi in connection with Runnisaidpur P.S. Case No. 140 of 2010 within a period of four weeks from the date of communication of this order. If he does so and seeks regular bail, the court below shall consider his case on its own merit without being prejudiced by dismissal of the present anticipatory bail application. He may also take into account the fact that the other persons have been acquitted, after trial.

(Chakradhari Sharan Singh, J)

ArunKumar/-

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