

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45983 of 2014

Arising Out of PS.Case No. -807 Year- 2014 Thana -BHAGALPUR KOTWALI District-
BHAGALPUR

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Dr. Mritunjay Kumar son of Late Tapaswi Choudhary resident of Mohalla -
Adampur, P.S. Adampur, District - Bhagalpur

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Sanjay Kumar, Advocate

For the Opposite Party : Mrs. Renu Kumari, APP

For the Informant : Mr. Suresh Pd. Singh No.1, Advocate

Mr. Shashi Kant Yadav, Advocate

Mr. Amar Prakash, Advocate

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CORAM: HONOURABLE MR. JUSTICE I. A. ANSARI

ORAL ORDER

4 23-04-2015

This is an application, made under Section 438 of the Code of Criminal Procedure, seeking pre-arrest bail by the petitioner, namely, Dr. Mritunjay Kumar, in connection with Kotwali Police Station Case No. 807 of 2014 under Sections 341/323/354(A)/354(B)/504 read with Section 34 of the Indian Penal Code.

Perused the above application and materials on record including a copy of the order, dated 06.11.2014, passed, in A.B.P. No. 2354 of 2014, by the learned Sessions Judge, Bhagalpur, rejecting the said application for pre-arrest bail.

Heard Mr. Sanjay Kumar, learned counsel for the petitioners, and Mrs. Renu Kumari, learned Additional Public Prosecutor, appearing for the State. Heard also Mr. Suresh Prasad Singh No.1, learned counsel, appearing for the informant.

It is submitted on behalf of the petitioner that, on 21.11.2014, the petitioner, pursuant to the notice issued under Section 41 of the Code of Criminal Procedure, appeared before the Investigating Officer and he (i.e., the petitioner) has already been allowed bail.

In view of the fact that the petitioner has already been granted bail by police, while this application for anticipatory bail is not pressed, it is submitted, on behalf of the petitioner, that the petitioner may be given the liberty to apply for anticipatory bail, in future, if the situation so warrants.

In view of the above, while dismissing this application as presently not pressed, it is made clear that the petitioner shall remain at liberty to file anticipatory bail petition if he genuinely apprehends arrest at any future point of time.

With the above observations and directions, this application shall stand disposed of.

(I. A. Ansari, J)

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