

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32267 of 2015

Arising Out of PS.Case No. -95 Year- 2009 Thana -CHANPATIA District-
WESTCHAMPARAN(BETTIAH)

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1. Sharwan Ram @ Shrawan Ram @ Shrawan Kumar S/o Late Biga Ram
Resident of Village Bijbania, P.S. Chanpatia (Sirisiya), District West
Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Akhileshwar Kumar Shrivastva, Adv

For the Opposite Party/s : Mr. Md.Arif(App)

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**

ORAL ORDER

2 10-08-2015 Heard learned counsels for the petitioner and the State.

Petitioner is apprehending his arrest in a case registered
for the offences punishable under Sections 341, 342, 323, 324,
325, 307 and 504 of the Indian Penal Code.

It is alleged that on the order of this petitioner the other
accused persons assaulted the informant by farsa and lathi due to
previous enmity and caused head injury.

It is submitted by the learned counsel for the petitioner
that he has committed no offence and the present case is counter
version of Chanpatia (Sirisiya) P.S. Case No. 94 of 2009. The
petitioner claims to be on police bail during investigation as in
pursuance to notice being issued under Section 41A of Cr.P.C the

petitioner executed bail bonds but now the final form (charge-sheet) has been submitted.

The provision under Section 41A stipulates that when arrest is not required then the police can issue notice. But this court fails to understand under what circumstance it was recorded by the Investigating Agency in Clause 19 of the final form that petitioner was on police bail.

Since the case was instituted in 2009 this Court is not inclined to entertain this application for anticipatory bail. The aforesaid facts constitute a good ground for consideration of regular bail, if the petitioner surrenders within a period of six weeks in connection with Chanpatia (Sirisiya) P.S. Case No. 95 of 2009 pending in the Court of Chief Judicial Magistrate, West Champaran.

With the observations above, the application stands disposed off.

(Dinesh Kumar Singh, J)

Prakash/-

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