

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.48697 of 2015**

Arising Out of PS.Case No. -87 Year- 1988 Thana -UDWANTNAGAR District- BHOJPUR

=====

1. Nand Kumar Giri, Son of Yadu Nandan Giri, resident of Village- Kaura Mathiya, Police Station- Jagdishpur, District- Bhojpur.

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Ranvijay Narain Singh

For the Opposite Party/s : Mr. C.Sen Prasad Singh (App)

=====

**CORAM: HONOURABLE MR. JUSTICE SAMARENDRA PRATAP SINGH**  
**ORAL ORDER**

2      03-11-2015      Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in a case under section 396 of the Penal Code.

The petitioner states that he is not named in the F.I.R. He further submits that though charge sheet was submitted in the year 1988, he did not receive any summons may be because he was working in Delhi in a private firm as a Driver. He submits that the co-accused Awadhesh Yadav who was put on trial in Sessions Trial No.149 of 1989 was acquitted. The informant did not turn up to depose. He thus submits that there are hardly any cogent materials against him.

Having regard to the facts and circumstances of the case, I am not inclined to grant anticipatory bail to the petitioner. His

prayer for anticipatory bail is rejected. If he surrenders and pray for regular bail, the same would be disposed of preferably on the same day without prejudice.

**(Samarendra Pratap Singh, J)**

KHAN/-

|   |  |  |  |
|---|--|--|--|
| U |  |  |  |
|---|--|--|--|