

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48255 of 2014

Arising Out of PS.Case No. -10 Year- 2014 Thana -TEKARI District- GAYA

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1. Pappu Paswan S/o Gopal Paswan R/o Village Dihuri, P.S. Tekari, District Gaya.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar

For the Opposite Party/s : Mr. Pramod Kumar Pandey(App)

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 30-04-2015 This is an application seeking anticipatory bail in a case registered for the offences punishable under sections 272, 273, 290 of the IPC, Sections 2(V)/3/4/5 of Bihar Mahua Flower Act and Section 47(a) of Bihar Excise Act.

I do not intend to grant the petitioner privilege of anticipatory bail for the sole reason that earlier also he has been prosecuted for similar offence in the year 2011 and 2012.

Learned counsel for the petitioner has produced before me a copy of the order dated 16.09.2014 passed by this court in Cr. Misc. No. 22937 of 2014 and has submitted that in similar circumstance other accused in the same case has been granted the privilege of anticipatory bail. However, in view of the fact that the petitioner had been accused in similar cases, I am not inclined to

grant the privilege to the petitioner. This application is, accordingly, rejected.

The petitioner is directed to surrender before learned Chief Judicial Magistrate, Gaya in connection with Tekari PS case No. 10/2014 within a period of four weeks from today and seek regular bail. If he does so, the court below shall consider his regular bail application on its own merit without being prejudiced by the rejection of present application for anticipatory bail. Learned court below may also take into account the fact that other similarly situated person has been granted anticipatory bail by this court.

(Chakradhari Sharan Singh, J)

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