

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51228 of 2014

Arising Out of PS.Case No. -46 Year- 2014 Thana -BETTIAH TOWN District- WEST
CHAMPARAN(BETTIAH)

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1. Quamrul Hassan @ Quamarul Hassan Son of Badrul Hassan Resident of
Village-Bhaphta P.S-Sathi, District-West Champaran

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance:

For the Petitioner : Mr. Md. Anis Akhtar

For the Opposite Party : Mr. S.D.Singh Yadav(App)

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

3 24-06-2015 Heard the parties.

While in judicial custody the petitioner is said to have committed an offence punishable under Sections 414/34 of the IPC and Section 42 of the Prisoners Act as one mobile with charger are said to have been recovered beneath the bed occupied by the petitioner.

Mr. Akhtar learned counsel submits that in Bettiah Mufassil P.S. case no.235 of 2013 registered under Section 302 of the IPC he has already been released on bail. It is further submitted that the petitioner is a Central Government employee. It has also been submitted that facts spelt out in the FIR would indicate that the articles were not found in conscious possession

of the petitioner.

Be that as it may, since the petitioner is already in judicial custody, in my view, the present application seeking anticipatory bail is not fit to be entertained.

Let the petitioner surrender and pray for regular bail before the learned Court below. In case the same preferred the Court below shall consider the same on its own merit uninfluenced in any manner by the present order.

Application stands disposed of.

(Kishore Kumar Mandal, J)

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