

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4205 of 2015

Arising Out of PS.Case No. -28 Year- 2013 Thana -MAHESI District-
EASTCHAMPARAN(MOTIHARI)

=====

1. Mukesh Rai Son of Hari Rai Resident of vill-Bimalpur,P.S-Mehsi,Distt.-
East Champaran

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Krishna Kant Singh
For the Opposite Party/s Mr. Bharat Bhushan (App)

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**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA**
ORAL ORDER

02/ 02.02.2015 Heard learned counsel for the petitioner as well as learned
Addl. Public Prosecutor for the State.

Petitioner apprehends his arrest in connection with Mehsi P.
S. case no. 28/2013 registered under section 302, 307 and other allied
sections of the IPC.

Taking note of this fact that the petitioner is not named in
the first information report and his name transpired in the statements
of prosecution witnesses during the course of investigation, I do not
feel it proper to release the petitioner on anticipatory bail.
Accordingly, his prayer for anticipatory bail in connection with the
above stated case stands rejected.

However, it is made clear that if the petitioner surrenders
before the Chief Judicial Magistrate, East Champaran at Motihari
within four weeks from today and seeks regular bail, the concerned
court shall dispose of regular bail application of the petitioner on the

same day and if any regular bail application is preferred before learned Sessions Judge, East Champaran, Motihari, the said regular bail application shall be decided on its own merit without being prejudiced by this rejection order, particularly, keeping in mind that some co-accused persons have already been granted privilege of regular bail.

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(Hemant Kumar Srivastava,J)

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