

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29540 of 2015

Arising Out of PS.Case No. -225 Year- 2013 Thana -BAHADURPUR District- DARBHANGA

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Arun Kumar Singh son of Late Birendra Prasad Singh resident of Village-
Bairiya Ganeshpur , Police Station- Piprahi, District- Sheohar.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binod Kumar Mishra

For the Opposite Party/s : Mr. Aditya Narayan Singh 1(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 29-07-2015 Heard both sides.

The petitioner apprehends his arrest in connection with
Bahadurpur P.S. Case No. 225 of 2013 registered for the offences
punishable under Section 409 and other Sections of the Indian
Penal Code.

The prayer for anticipatory bail of the petitioner was
earlier rejected by order dated 18.03.2014 passed in Cr. Misc. No.
27533 of 2014.

It is submitted that before rejection of anticipatory bail
of the petitioner similarly situated co-accused namely, Ramesh
Kunwar was granted bail vide order dated 12.03.2014 passed in
Cr. Misc. No. 53009 of 2013. It is further submitted that
petitioner is also a constable and at the relevant time, he was not

in-charge of Koth and so the petitioner is not, at all, responsible for missing of cartridges of the Koth but the facts available on the record, show that it was the petitioner who made wrong entry in the register after taking keys alongwith Vijay Shankar Pandey and Ramesh Kunwar and on physical verification huge shortage of cartridges was found.

Hence, I am not inclined to review my own order, earlier passed by me. Accordingly, the anticipatory bail of the petitioner is again rejected.

However, if the petitioner may surrender in the court below, the Court below shall consider the regular bail application of the petitioner taking into consideration that similarly situated co-accused, namely, Ramesh Kunwar has already been granted bail preferably, on the same date.

(Prabhat Kumar Jha, J)

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