

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24305 of 2015

Arising Out of PS.Case No. -319 Year- 2013 Thana -BODHGAYA District- GAYA

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Ram Narayan Sharma, Son of Late Ramdeep Sharma, R/o Village-
Bhikhnpura, P.S.-Konch, Distt.- Gaya at present residing north of the
Gandhi Maidan above Axis Bank Civil lines, Gaya.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravindra Kumar

For the Opposite Party/s : Mr. S.Dayal (App)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

6 12-10-2015 Heard learned counsel for the petitioner, informant and

learned counsel for the State.

The petitioner apprehends his arrest in connection with
Bodh Gaya (Cherki) P.S. Case No. 319/13 of 2013 registered for
the offences punishable under Section 302, 120(B)/34of the Indian
Penal Code and Section 27 of the Arms Act.

Learned counsel for the petitioner submits that though
the prayer for anticipatory bail of the petitioner was earlier
rejected by a Bench of this Court and the matter traveled up to the
Hon'ble Supreme Court, where an opportunity was given to the
petitioner to approach this Court for appropriate relief. The
Hon'ble Apex Court also declined to interfere with the order
which was sought to be assailed.

Considering the entire gamut of circumstances as also the fact that the petitioner claims to be a disabled persons and taking note of this fact that the present application is a second anticipatory bail application under Section 438 Cr.P.C., which is not maintainable and accordingly, the same is thus, dismissed being not maintainable.

However, if the petitioner surrenders and seek regular bail within a period of four weeks from the date of communication of this order, the Court below may consider the regular bail application of the petitioners without being prejudiced by the present order on the same day. It is also directed that the learned Court Below should first verify the extent of the disability of the petitioner before passing necessary orders on his regular bail application.

Jagdish/-

(Anjana Mishra, J)

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