

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50261 of 2015

Arising Out of PS.Case No. -99 Year- 2012 Thana -GAYA HARIZAN District- GAYA

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1. Pravindra Kumar son of Madan Mohan Pd. R/o Moh- Panchayati,
Akhara, P.S. Kotwali, Distt- Gaya.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kr. Sinha

For the Opposite Party/s : Mr. Ambika Bhagat(Spl.App)

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

2 09-11-2015

Heard both sides.

Petitioner along with others cited in the FIR have been facing accusation punishable under Sections 379 and 504 of the IPC read with Section 34 of the IPC and Section 3(1)(x) of the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act.

While the informant had gone to the office, it is alleged first he was abused and assaulted by other accused persons and subsequently by the petitioner.

Contention of the petitioner is that it is a case of simple mar-pit. Accusation of abusement is not attributed to the petitioner. One of the co-accused of this case, namely, Sanjeet Priya has been released on bail by the learned Sessions Judge.

Mr. Bhagat Spl. P.P. for the State opposing the prayer placed the FIR and also the impugned order wherefrom it appears that the prayer for anticipatory bail was first considered and rejected by the Sessions Judge on 19.11.2014. Again he moved for anticipatory bail which was considered and rejected by the impugned order.

Considering the above, I am not persuaded to extend the privilege of anticipatory bail to the petitioner. Petitioner, if so advised, may surrender and seek regular bail before the Court below. In case the same is preferred the Court below shall consider the same on its own merit uninfluenced by the present order.

The application is disposed of.

(Kishore Kumar Mandal, J)

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