

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28563 of 2015

Arising Out of PS.Case No. -113 Year- 2011 Thana -BHAGALPUR KOTWALI District-
BHAGALPUR

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1. Saurav Kumar @ Saurabh Kumar son of Nirmal Kumar Singh R/o
Kharmanchak, P.S. Adampur, Dist. Patna.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar Singh

For the Opposite Party/s : Mr. Rajiv Nayan (App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 23-07-2015 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner apprehends his arrest in connection
with Kotwali (Adampur) P.S. Case No. 113 of 2011 registered for
the offence under Section-395 of the Indian Penal Code.

Petitioner is not named in the first information
report and admittedly, the occurrence took place in the year, 2011
but petitioner neither surrendered nor could be apprehended till the
year, 2015. Moreover, the investigation against this petitioner is
going on and in course of investigation, his name has come in
confessional statement of co-accused.

The contention on behalf of the petitioner is that

having similar allegation, one co-accused, has already been granted privilege of anticipatory bail by a coordinate bench of this court vide order dated 14-05-2012 passed in Cr. Misc. No. 17111 of 2012.

Considering the facts and circumstances as well as submission of the parties, I do not feel it proper to extend the privilege of anticipatory bail to the petitioner and accordingly, his prayer for anticipatory bail stands disposed off with direction to the petitioner to surrender before the court below and seek regular bail within four weeks from today and if, the petitioner does so, the competent court shall consider the regular bail application of the petitioner on its own merit, without being prejudiced by this order, particularly, keeping in mind that except the confessional statement of co-accused, nothing could be collected against the petitioner by the I.O. and having similar allegation, one co-accused, has already been granted privilege of anticipatory bail by a coordinate bench of this court.

A.K.V./-

(Hemant Kumar Srivastava, J)

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