

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19298 of 2015

Arising Out of PS.Case No. -110 Year- 2013 Thana -BABUBARHI District- MADHUBANI

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Kapleshwer Yadav @ Kapileshwer Prasad Yadav Son of Late Khaneshwar Yadav @ Khaneshwar Prasad resident of village Majhab P.S. Babubarhi, District - Madhubani.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Gagan Deo Yadav, Advocate.

For the Opposite Party : Mr. Sadanand Paswan (Spl.PP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 30-07-2015 Heard learned counsel for the petitioner, learned counsel for the State as also learned counsel for the informant.

In this application for anticipatory bail the petitioner apprehends his arrest for the offences punishable under sections 341, 323, 354, 504 and 120 (B), 34 of the I.P.C and section 3 (x) of SC/ST Act.

Earlier prayer for pre-arrest bail of the petitioner was withdrawn vide Cr. Misc. No. 36408 of 2014 by order dated 11.02.2015 with a liberty to surrender before the court below within fortnight and pray for regular bail, but again the petitioner has come before this Court on the ground that vide Annexure-7 which is an order passed in Cr. Misc. No. 2375 of 2015 other co-

accused have been allowed pre-arrest bail, to which the learned A.P.P. duly assisted by the learned counsel for the informant opposes by submitting that earlier as per submission of the learned counsel for the petitioner the application with respect to the petitioner was withdrawn and as such again prayer made by the petitioner appears not tenable.

As pre-arrest bail of the petitioner has been withdrawn earlier with a liberty to surrender before the court below within fortnight and pray for regular bail and as such again the petitioner is directed to surrender before the court of C.J.M. Madhubani in connection with Babubarhi P.S. Case No. 110 of 2013 within fortnight and seek regular bail then his prayer for regular bail shall be considered on its own merits without being prejudiced by the order of this court.

Accordingly, this criminal miscellaneous is hereby disposed of.

(Jitendra Mohan Sharma, J)

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