

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10624 of 2016

Arising Out of PS.Case No. -86 Year- 2014 Thana -DARAUNDA District- SIWAN

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1. Raj Kishore Gupta S/o late Mahesh Gupta R/o Village- Aghaila P.s
Siwan District Siwan

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Harendra Prasad

For the Opposite Party/s : Mr. Kanhaiya Kishore (App)

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL
ORAL ORDER

2 02-03-2016

Heard the Counsel for the petitioner and the APP for
the State.

This is repeat application filed on behalf of the
petitioner for anticipatory bail in Daraunda P.S. Case No. 86 of
2014 registered under sections 498A/34 in which Section 304B,
306, 315/34 IPC were also added.

The petitioner along with another co-accused had
moved for anticipatory bail in Cr. Misc. No. 42701 of 2014. The
prayer for bail on behalf of the petitioner was sought to be
withdrawn which was allowed. The another co-accused was,
however, extended the privilege of anticipatory bail.

Counsel for the petitioner submits that there is
evidence or material to show that the petitioner was not present at
the place of occurrence on the date and time alleged in the F.I.R.

Be that as it may, since earlier the prayer of the petitioner for grant of anticipatory bail was dismissed giving no liberty to him, this Court is not inclined to extend him the privilege of anticipatory bail. Prayer is refused.

Petitioner shall be well advised to surrender and seek bail. In case he does so, the Trial Court shall consider his application for bail on its own merit in accordance with law uninfluenced by the present order.

(Kishore Kumar Mandal, J)

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