

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35852 of 2016

Arising Out of PS.Case No. -4217 Year- 2015 Thana -GOPALGANJ COMPLAINT CASE District-
GOPALGANJ

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Bashir Ahmed @ Basir Miya son of late Wakil Mian @ Wokil Mian R/O
Village-Birwat Bazar, P.S. Uchkagaon, District Gopalganj.

.... Petitioner/s

Versus

1. State of Bihar

2. Mostt. Asha Devi wife of late Inarma Yadav, D/o late Ramchandra
Yadav, R/o village Birwat Bazar, P.S. Uchkagaon, District Gopalganj.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Pandey

For the Opposite Party/s : Mr. M.Dayal, APP

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

2 27-09-2016

Heard Mr. Pandey for the petitioner and Mr. M.Dayal

APP for the State.

The petitioner is apprehending arrest in complaint
case no. 4217 of 2015 registered under Section 354 of the IPC.

It is stated that upon taking cognizance summons
have been issued. However, the petitioner filed an anticipatory bail
application which was considered and rejected on merit. Mr.
Pandey, placing reliance in the case of **Abinash Kumar @**
Avinash Kumar @ Pappu vs. The State of Bihar [2016
(1)PLJR 575] in paragraph nos. 6,7, 8 and 9 thereof, has
submitted that in a case like this the petitioner is required to
appear before the Court pursuant to the summons and the order

shall follow in the light of the observation made in the **Abinash Kumar (supra)**.

Considering the above, the application is permitted to be withdrawn enabling the petitioner to respond to the summons and present himself before the Court and seek the privilege of bail.

(Kishore Kumar Mandal, J)

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