

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41955 of 2016

Arising Out of PS.Case No. -46 Year- 2016 Thana -AKBARPUR District- NAWADA

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1. Rajiv Kumar, Son of Sri Abhiram Singh, Resident of Village- Nimi,
Police Station- Sheikhopur Sarai, District- Sheikhpura.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prasoon Sinha

For the Opposite Party/s : Mr. Smt. Rita Verma

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

5 28-11-2016

In the State of Madhya Pradesh Vs. Pradeep Sharma

reported in 2014(2) SCC 171, the Apex Court of this country has
already held that an absconder does not claim the privilege of
anticipatory bail.

It is an admitted position that the petitioner has already
been declared absconder and processes against him has already
been issued.

Therefore, in the aforesaid circumstances, this
anticipatory bail petition stands dismissed being not maintainable.

However, this order shall not cause any prejudice to
the competent court and if, the petitioner surrenders before the
court below within four weeks from the date of receipt/production
of copy of this order, the learned Chief Judicial

Magistrate/concerned court, Nawada shall dispose off the regular bail application of the petitioner on the day of his surrender itself if, the same is filed and, if after that, any prayer for regular bail is made out before the learned Sessions Judge, the same shall be considered by the concerned court on its own merit.

(Hemant Kumar Srivastava, J)

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