

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46584 of 2016

Arising Out of PS.Case No. -38 Year- 2013 Thana -PARSABAZAR District- PATNA

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Sharwan Yadav Son of Madhushudan Yadav resident of village - Loha
Bigha, Police Station Kako in the district of Jehanabad

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar, Adv.

For the Opposite Party/s : Mr. Manoj Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

2 02-12-2016 Heard both sides.

The petitioner apprehends his arrest in Parsa Bazar P.S.
Case No. 38/2013, registered for the offences punishable under
Section 396 of the Indian Penal Code and Section 27 of the Arms
Act.

Learned counsel for the petitioner submits that prayer
for anticipatory bail of the petitioner was earlier rejected vide
order dated 03.11.2015 passed in Cr. Misc. 49884/2015. The
petitioner was not present on the place of occurrence. The name of
the petitioner figured in the case on the basis of confessional
statement of the co-accused. Petitioner is driver and he was
driving the vehicle in Chhattisgarh on the date of occurrence, but
it appears that all the facts were considered and thereafter the



prayer for anticipatory bail of the petitioner was rejected vide order dated 03.11.2015. There is no new fact and the petitioner is evading his appearance in the court for more than a year after rejection of his anticipatory bail. The case itself requires custodial interrogation and the petitioner may be put on Test Identification Parade.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner above-named on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J.)

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