

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11735 of 2016

Arising Out of PS.Case No. -53 Year- 2015 Thana -PHULWARIA District- GOPALGANJ

Jain @ Jiean Tiwari @ J.N. Tiwari @ Jon Tiwari, Son of Ram Dayal Tiwari
resident of village - Madhuapur, P.S. - J.B. Nagar, District - Siwan.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar

For the Opposite Party/s : Mr. Manish Kumar- 2, APP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 18-03-2016

Heard.

The petitioner apprehends his arrest in a criminal prosecution registered under Section 395 of the Indian Penal Code.

Though the petitioner is not named in the FIR vide Annexure-1 as an accused, but taking into consideration the fact that the petitioner is accused in several other criminal cases of almost similar nature, which finds mentioned in paragraph 3 of the bail petition and further taking into consideration the materials collected during the course of investigation showing complicity of the petitioner in the commission of crime in question, this Court is not inclined to accede to the prayer made on behalf of the petitioner for grant of anticipatory bail. Accordingly, his prayer for grant of anticipatory bail in connection with Fulwaria P.S. Case No.53 of 2015 pending in the court of learned Judicial Magistrate-1st Class, Gopalganj is rejected.

However, if the petitioner surrenders in the court below within a period of one month from today and applies for

regular bail, then the same shall be considered and decided on its own merits without being prejudiced by the present order.

Arvind/-

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(Birendra Prasad Verma, J)