

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21285 of 2015

Arising Out of PS.Case No. -329 Year- 2014 Thana -SAMASTIPUR COMPLAINT CASE District-
SAMASTIPUR

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Uma Shankar Roy @ Uma Shankar Ray Son of Late Narayan Roy,
Resident of Village - Deodha, P.S. - Hasanpur, District - Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Puspa Devi, W/o Sita Ram Roy, R/o Village - Deodha,P.S. - Hasanpur,
District - Samastipur.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ramakant Sharma, Sr. Advocate
Mr. Manoj Kumar Jha
For the Opposite Party/s : Mr. Umesh Lal Verma(App)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 27-01-2016 Heard learned Senior Counsel for the petitioner and
learned Additional Public Prosecutor for the State.

The application for anticipatory bail filed is a repetition of
the prayer made earlier made before this Court which was after
due consideration rejected vide order dated 01.04.2015.

The present application has been filed stating that in the
counter case filed by the opponents of the petitioner all accused
persons have been extended the privilege of anticipatory bail by
this Court.

Learned Senior Counsel for the petitioner has also tried to
persuade this Court after dwelling into the merits of this case. He

submits that considering the nature of allegations made in the present case as well as counter case in which the accused persons have been extended the privilege of anticipatory bail, it appears that it is a case is of family feud and the allegations have been levelled by both the parties are with malicious intention.

Having considered all the facts and circumstances, the second application made by the petitioner for grant of anticipatory bail is against the settled principle law and is not maintainable, and is accordingly rejected.

However, if the petitioner surrenders before the Court below within a period of three weeks, it shall be open to the Court below to appreciate the case of the petitioner on its own merit without being prejudiced with the present order of this Court.

(Anjana Mishra, J)

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