

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48337 of 2015

Arising Out of PS.Case No. -62 Year- 2015 Thana -KOTWALI District- MUNGER

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Baijnath Saw @ Baijnath Sah Son of Late Balo Saw, Resident of Mohalla -
Subhash Nagar, P.S. - Kotwali, District - Munger.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 01-02-2016

Heard learned counsel for the petitioner and the State.

The petitioner is apprehending his arrest in a case instituted under Sections 420, 406 and 504/34 of the Indian Penal Code.

Allegation against the petitioner is that on allurement of a policy making the money doubled within a short period he made the complainant to deposit more than Rs.50,000/- but at the time of maturity no money was returned and thus cheated the informant.

In paragraph no. 10 of the petition it has been stated that the petitioner was released under Section 41 (a) of the Code of Criminal Procedure. Hence, at present the anticipatory bail of the petitioner is not maintainable.

Let the learned court below pass an appropriate order with regard to regular bail of the petitioner in the light of the ratio laid down in the case of ***Mahendra Prasad Singh v. The State of Bihar*** reported in ***2004(3) PLJR 491***, if the petitioner prays for regular bail within a period of six weeks from the date of receipt of a copy of this order.

With the observation made above, the anticipatory bail application of the petitioner is disposed of.

Let this order be communicated to the learned C.J.M., Munger, in connection with Kotwali P. S. Case no. 62 of 2015.

(Sudhir Singh, J)

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