

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13594 of 2016

Arising Out of PS.Case No. -51 Year- 2013 Thana -TARAIYA District- SARAN

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Shobh Nath Mahto, Son of Ruplal Mahto, Resident of village- Parauna,
Police Station -Taraiya District Saran at Chapra.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shrinath

For the Opposite Party/s : Mr. Smt. Sharda Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 09-05-2016

Heard.

This is the second attempt on behalf of the petitioner for grant of anticipatory bail in a criminal prosecution registered under Sections 302 and 201/34 of the Indian Penal Code.

Indisputably, the prayer for grant of anticipatory bail made on behalf of the petitioner was earlier rejected by a coordinate Bench of this Court (Coram: Mihir Kumar Jha, J., since superannuated) by an order dated 23.04.2015 passed in Cr.Misc.No.46959 of 2014 vide Annexure-1.

The petitioner happens to be the husband of the deceased and specifically named in the FIR vide Annexure-2 as an accused.

Taking into consideration the aforesaid facts, this Court does not find any good ground to accede to the prayer made on behalf of the petitioner for grant of anticipatory bail in the second attempt. Accordingly his prayer for grant of anticipatory bail in connection with Taraiya P.S. Case No.51 of 2013 pending in the court of learned Judicial Magistrate, Saran at Chapra is

rejected.

However, if the petitioner surrenders in the court below within a period of four weeks 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.

(Birendra Prasad Verma, J)

Arvind/-

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