

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18997 of 2016

Arising Out of PS.Case No. -473 Year- 2014 Thana -SAHARSA District- SAHARSA

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Rajo Yadav, Son of Late Ayodhi Yadav, Resident of Village- Batraha,
Ward No.25, P.S. Sadar, District- Saharsa.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Dr. Rajesh Kumar Singh, Advocate

For the Opposite Party/s : Mr. Anuj Kr.Srivastav, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 10-05-2016 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application for grant of anticipatory bail arises
out of Saharsa Sadar P.S. Case No. 473 of 2014 (G.R. No. 1700 of
2014), disclosing offences under Sections 147, 148, 149, 307, 323,
341, 448, 504 and 506 of the Indian Penal Code.

It is submitted on behalf of the petitioner that he was
on Police bail in course of investigation. It has further been
submitted that Police upon completion of investigation submitted
chargesheet only under bailable Sections of the Indian Penal Code.
Learned Chief Judicial Magistrate, Saharsa has, however, taken
cognizance for the offence under Section 307 of the Indian Penal
Code also, differing with the Police report.

Considering the submission that the petitioner was on Police bail, it is directed that if the petitioner applies for grant of bail before the court below, it shall be considered strictly in terms of the decision of this Court in the case of ***Mahendra Prasad Singh Vs. The State of Bihar reported in 2004(3) PLJR 491.***

This application stands disposed of with the observation as above.

(Chakradhari Sharan Singh, J)

Vats/-

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