

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39758 of 2016

Arising Out of PS.Case No. -8 Year- 2014 Thana -MAHILA P.S. District- SASARAM (ROHTAS)

1. Naresh Kumar son of Late Gowardhan Ram Resident of Mohalla- Gol Bagicha, Kallu Lal Lane, Near Durga Mandir, P.S.- Kotwali, District- Gaya.
.... Petitioner

Versus

1. The State of Bihar
.... Opposite Party

Appearance :

For the Petitioner/s : Mr. Kumar Praveen

For the Opposite Party/s : Mr. Smt Pushpa Sinha

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 21-09-2016 Heard learned counsel for the petitioner and learned
counsel representing the State.

Supplementary affidavit has been filed on behalf of the
petitioner which has been taken on record.

The petitioner wants to renew his prayer of pre-arrest bail,
which was earlier rejected vide order dated 02.07.2015 passed in
Cr. Misc. No. 48725 of 2014, on the ground that the petitioner was
on police bail and as such in the light of the principle laid down in
the case of **Mahendra Prasad Singh Vs. State of Bihar** reported
in **2014 (3) PLJR 491**, the petitioner should be allowed bail.

Learned APP submits that in view of the judgment
aforesaid the petitioner must surrender and seek regular bail and
not pre-arrest bail.

In the facts and circumstances stated above, the petitioner

is directed to surrender in the court below and seek regular bail and in that event the learned court below shall consider the principle laid down in the case of **Mahendra Prasad Singh** (supra).

In the result, this application is hereby disposed of.

Let this order be communicated to the court of learned S.D.J.M., Dehri, Rohtas through fax at the cost of the petitioner in connection with Mahila Thana Dehri P.S. Case No. 08 of 2014.

(Jitendra Mohan Sharma, J)

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