

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.38569 of 2016

Arising Out of PS.Case No. -12 Year- 2016 Thana -NAVHATTA District- SASARAM (ROHTAS)

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Lalan Mehta, Son of Late Jaishri Mehta, Resident of village - Baraich
(Gaitwa Tola), P.S. Nauhatta, District Rohtas

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Surendra Kumar Mishra, Advocate

For the Opposite Party: Mr. Jitendra Kumar Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 20-09-2016 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 304 and 34 of the Indian Penal Code registered in connection with Nauhatta P.S. Case No. 12 of 2016.

3. It is submitted that the petitioner has been falsely implicated. Similarly situated co-accused, Shiv Ram, has been granted anticipatory bail by this Court in Cr. Misc. No. 34441 of 2016.

4. A perusal of the order of the learned 3rd Additional Sessions Judge, Rohtas at Sasaram dated 02.08.2016 passed in A.B.P. No. 1685 of 2016, however, discloses that the petitioner had connected a wire to the naked wire on the electric pole to run his motor-pump in the field. The order granting anticipatory bail to co-accused Shiv Ram, however, shows that he was residing outside the State for more than ten years and hence, the aforesaid person cannot be said to be similarly situated.

5. Having regard to the nature of accusations and the gravity of offence alleged, this Court is not inclined to grant the privilege of anticipatory bail to the petitioner. Bail petition stands dismissed.

B.T/Chandran

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(Vikash Jain, J)