

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43230 of 2016

Arising Out of PS.Case No. -26 Year- 2016 Thana -GOPALPUR District- GOPALGANJ

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Shiv Kumar Pasi, Son of Late Sandhu Pasi, Resident of Village - Lachyapur
Tola Takiya Bari, P.S. Gopalpur, District - Gopalganj.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhramveer, Advocate

For the Opposite Party/s : Mr. Sri Ramchandra Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 25-10-2016 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application for grant of anticipatory bail arises out of Gopalpur P.S. Case No. 26 of 2016, disclosing offence under Sections 272, 273 and 420/34 of the Indian Penal Code and Section 47(a) of the Excise Act.

The petitioner's name cropped up on the basis of disclosure made by co-accused Harkesh Sah, who was apprehended by the Police and, accordingly, petitioner has been named in the First Information Report. It appears from the statement made in paragraph 3 of this application that earlier in the year 2015 also, the petitioner was made accused for commission of similar offence.

Learned counsel appearing on behalf of the petitioner has submitted that in the earlier case also, the petitioner was implicated on the basis of statement of same Harkesh Sah.

However, considering the fact that the petitioner has criminal antecedent and he appears to have repeated the offence, I am not inclined to grant him privilege of anticipatory bail.

Accordingly, this application for anticipatory bail is, hereby, rejected.

The petitioner is directed to surrender before the court below within four weeks from today and seek regular bail, if so advised. If he does so, his application for regular bail shall be considered on its own merit without being prejudiced by rejection of present application for grant of anticipatory bail.

(Chakradhari Sharan Singh, J)

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