

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56885 of 2015

Arising Out of PS.Case No. -2 Year- 2005 Thana -DALSINGHSARAI District- SAMASTIPUR

Sanjay Rai @ Sanjay Kumar son of Late Ram Chandra Rai, resident of
Village- Desari, P.S. Bibhutipur, District- Samastipur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Navin Prasad Singh

For the Opposite Party/s : Mr. Murlidhar(App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

02/ 16-03-2016

Heard learned counsels for the petitioner

and the State.

The petitioner has renewed his prayer for anticipatory bail in a case registered for the offences punishable under Sections 396, 120B and 412 of the Indian Penal Code.

The prosecution case is that the miscreants while snatching money bag from the brother of the informant caused firearm injury to him who subsequently succumbed to the injuries. The FIR was lodged against unknown. On conclusion of the investigation, the petitioner was not sent up for trial but differing with the final form the learned ACJM took cognizance vide order dated 24.03.2011 against the petitioner also.

It is submitted by learned counsel for the

petitioner that at the relevant time petitioner was admitted in AIIMS, New Delhi due to the heart problem for a pretty long time and petitioner has no criminal antecedent.

Though, this Court is not inclined to revise its earlier order, but since the petitioner was not sent up for trial on conclusion of the investigation and the petitioner has no criminal antecedent, the same may constitute ground for consideration of prayer for regular bail, if the petitioner surrenders before the learned court below within a period of four weeks from today in connection with Dalsinghsarai P.S. Case No. 02 of 2005 pending in the court of learned Additional Chief Judicial Magistrate, Dalsinghsarai, Samastipur.

Accordingly, this application is disposed of.

(Dinesh Kumar Singh, J)

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