

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17860 of 2016

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Amit Chauhan @ Amit Kumar Chauhan son of Deep Narayan Chauhan,
Resident of village- Bairi Rahika, P.S.- Katihar, District- Katihar

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Md. Susowir, Advocate

For the Opposite Party/s : Mr. Manish Kumar 2, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL ORDER

2 27-04-2016 Heard learned counsel for the petitioner and

learned counsel for the State.

By way of the present application preferred under
Section 482 of the Code of Criminal Procedure, the petitioner
seeks restoration of Cr. Misc. No. 13700 of 2016, which was
dismissed for want of prosecution on 04.04.2016.

It has been contended by the learned counsel for
the petitioner that on 04.04.2016, he had fallen ill as a result of
which he could not attend the Court.

Regard being had to the submissions made at the
Bar, the prayer is allowed.

Cr. Misc. No. 13700 of 2016 is restored to its
original file.

Cr. Misc. No. 13700 of 2016

Since this application has been restored today itself, the same has been heard on merits.

The petitioner seeks pre-arrest bail in connection with Katihar Muffasil P. S. Case No. 185 of 2012 registered under Sections 341, 323, 379, 447, 448/34 of the Indian Penal Code.

Regard being had to the accusation made against the petitioner that he along with other co-accused persons entered into the shop of the informant and snatched away Rs.20,435/- from the cash box after assaulting the informant, I am not inclined to grant him pre-arrest bail. Accordingly, his prayer for grant of pre-arrest bail is rejected.

However, in case the petitioner surrenders and seeks bail, the same shall be considered on its own merit without being prejudiced in any manner by this order.

(Ashwani Kumar Singh, J.)

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