

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 32016 of 2016

Arising Out of PS.Case No. -154 Year- 2016 Thana -NAUBATPUR District- PATNA

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Mantu Kumar S/o late Amlesh Singh Resident of Aaropur, P.S. Naubatpur,
District Patna.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar
Mr. Ajit Kumar

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

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2. 31-08-2016 Heard Sri Ashok Kumar, learned counsel, who was
assisted by Sri Ajit Kumar, learned counsel for the petitioner and
learned Addl. Public Prosecutor.

The sole petitioner, apprehending his arrest in
Naubatpur P.S. Case No. 154 of 2016 registered for offence under
Section 307 & other allied sections of the Indian Penal Code, has
prayed for grant of bail in the event of his arrest.

It was submitted by learned counsel for the petitioner
that on perusal of the F.I.R., it is evident that there is no element
of application of Section 307 of the Indian Penal Code and
allegation regarding theft is ornamental in nature.

However, keeping in view the fact that in the F.I.R.,
the petitioner is the main accused, the Court is not inclined to

extend the privilege of anticipatory bail.

After some argument, learned counsel for the petitioner makes a prayer for disposal of the present petition so that petitioner may appear before the court below and make a prayer for regular bail.

The prayer is allowed.

If within a period of six weeks from today, the petitioner appears before the court below and makes a prayer for regular bail, the learned court below, without being prejudiced with this order, may examine the same and pass appropriate order in accordance with law, preferably on the same date.

The petition stands disposed of.

(Rakesh Kumar, J.)

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