

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8540 of 2017

Arising Out of PS.Case No. -30 Year- 2016 Thana -BARACHATTI District- GAYA

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Raghuvir Sao, Son of Mahashya Sao, resident of Village- Kalua, P.S.
Barachatti, Dist.- Gaya.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. S. Jamil Akhtar, Advocate

For the Opposite Party/s : Mr. Matloob Rab, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 28-02-2017

This is an application for grant of anticipatory bail
for offences punishable under Sections 341, 323, 504, 379 and
387/34 of the Indian Penal Code.

Heard learned counsel for the petitioner.

It has been submitted on behalf of the petitioner that
in this case there is inordinate delay in lodging the F.I.R., i.e., after
43 days. Petitioner has been made accused on the basis of
suspicion and earlier petitioner had no criminal antecedent and
after filing of this case, another case has been lodged against the
petitioner.

Heard learned A.P.P. also.

Having heard both sides and from perusal of the
F.I.R. itself, it appears that the driver of the truck had gone to the



owner of the truck at Ahmedabad and he had fallen ill there and after returning from there, the present case has been filed and petitioner is named in F.I.R.

Considering the facts aforesaid, I am not inclined to grant anticipatory bail to the petitioner, the same is rejected.

However, petitioner is directed to surrender in the court below, i.e., learned A.C. J. M., Sherghati, in connection with Barachatti P. S. Case no. 30 of 2016 and make prayer for regular bail which will be considered on the basis of materials available on record as well as other materials and dispose of the same preferably on the same day without being prejudiced by the order of this Court.

Accordingly, this application stands disposed of.

(Vinod Kumar Sinha, J)

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