

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13631 of 2017

Arising Out of PS.Case No. -38 Year- 2016 Thana -ROSERA District- SAMASTIPUR

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Abhishek Kumar, S/o Dilip Raut @ Dilip Kumar Raut, resident of Village-
Katharbani, P.S.- Rosera, District- Samastipur.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Suneil Kumar Thakur

For the Opposite Party/s : Mr. Sri Ashok Kumar Singh 1

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

2 26-04-2017 Heard the learned counsel for the petitioner as well as

the learned A.P.P. for the State.

In this application for anticipatory bail the petitioner apprehends his arrest in connection with Rosera P.S. Case No. 38 of 2016 for the offences punishable under sections 323, 341 and 308/34 of the I.P.C.

The learned counsel for the petitioner submits that during investigation the petitioner was noticed under section 41 (1) of the Cr.P.C and given benefit of that section. He was not arrested and was released and as such now after investigation he should be allowed privilege of bail as he has not misused the privilege of bail.

The learned A.P.P. submits that the petitioner should



surrender and seek regular bail.

In the facts and circumstances as stated above, the petitioner is directed to surrender in the court below within six weeks from the date of receipt/production of a copy of this order and then his regular bail shall be considered by the learned court below after considering that the petitioner was granted benefit under section 41 (1) of the Cr. P.C. and accordingly this Criminal Miscellaneous is hereby disposed of.

(Jitendra Mohan Sharma, J)

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