

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No 12166 of 2017

Arising Out of PS.Case No. -213 Year- 2016 Thana -PATNA CITY CHOWK District- PATNA

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Amit Kumar @ Chullu, S/o Late Badri Prasad, Resident of Village-
Jhauganj Gali, Police Station- Chowk, District- Patna.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr Jay Ram Prasad, Advocate

For the Opposite Party/s : Mr Pranav Kumar, APP

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CORAM: HONOURABLE MR JUSTICE VINOD KUMAR SINHA

ORAL ORDER

2 22-03-2017

Heard learned counsel for the petitioner.

This is a second attempt made by the petitioners for grant of anticipatory bail in connection with Chowk Police Station Case No 213 of 2016 registered for the offence under Sections 30 (a) (c) (d)/38/41 of Bihar Prohibition & Excise Act, 2016.

It has been submitted by the petitioners that earlier the petitioners moved for anticipatory bail and this Court, vide order dated 14.02.2017 passed in Cr Misc No 4857 of 2017, has rejected the prayer for anticipatory bail of the petitioner as not maintainable with observation that petitioners will surrender before the Court below within a period of six weeks, make prayer for regular bail which will be considered by the Court below on its own merit without being prejudiced by the order of this Court.



Heard also the learned APP.

The petitioners have not surrendered before the Court below and again moved for anticipatory bail before this Court stating that other co-accused has been granted anticipatory bail. I am unable to disagree such submission of learned counsel for the petitioners, once order had been passed, the petitioner should surrender and make prayer for regular bail.

Let petitioner surrender before the Court below within a period of two weeks from today and pray for bail which will be considered on the basis of the observations already made in order dated 14.02.2017 passed in Cr Misc No 4857 of 2017.

This application is, accordingly, dismissed.

(Vinod Kumar Sinha, J)

M.E.H./-

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