

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.19933 of 2017

Arising Out of PS.Case No. -22 Year- 2015 Thana -ARA NAGAR District- BHOJPUR

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1. ANAKAJ KUMAR SINGH @ ABHAY KUMAR SINGH, Son of Tarkeshwar Singh, Resident of Mathurapur, Police Station-Koilwar, District- Bhojpur at Ara.

.... Petitioner

Versus

1. The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Anurag Saurav

For the Opposite Party/s : Mr. Dinesh Singh

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH
ORAL ORDER

3 21-06-2017 Heard learned Counsel for the petitioner and learned Additional Public Prosecutor representing the State.

This is the second attempt on behalf of the petitioner to seek anticipatory bail. He is accused in Ara Nagar Police Station Case No. 22 of 2015, disclosing commission of offence punishable under Section 364A of the Indian Penal Code.

It is the case of the petitioner that subsequent to passing of the said order, dated 14.08.2015, in Criminal Misc. No. 32631 of 2015, certain developments have taken place, based on which the petitioner's case for grant of anticipatory bail deserves to be reconsidered.



Learned Counsel for the petitioner has drawn my attention to Annexure-6, dated 25.04.2016, written by Captain, Company Commander, Military Establishment, Central Vehicle Depot, Delhi Cantt., New Delhi, which indicates that the petitioner was on duty at Secunderabad on the date of occurrence.

Since the petitioner was directed to surrender before the learned Court below within six weeks from the date of the order, dated 14.08.2015, which he did not comply. This second application for grant of anticipatory bail cannot be entertained.

However, considering the facts and circumstances of the present case, more particularly, Annexure-6 of the present application, I find some substance in the submission made on behalf of the petitioner that there is possibility of the petitioner being there on duty on the date of occurrence and his implication being false.

I, therefore, direct the petitioner to appear before the learned Court below within a period of four weeks from today and seek regular bail. If he does so, his application for regular bail shall be considered and disposed of on the same day, considering the said communication, dated 25.04.2016.



This application stand disposed of accordingly.

(Chakradhari Sharan Singh, J.)

Prabhakar Anand/-

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