

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55557 of 2016

Arising Out of PS.Case No. -138 Year- 2006 Thana -NAWADA District- NAWADA

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DeoNath Prasad, Son of Late Darsani Mahto, Resident of Village :
Gonawan, Police Station: Nawada Town, District: Nawadah.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Arjun Prasad, Advocate

For the Opposite Party/s : Mr. Ahmad Ali, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 08-02-2017

Heard learned counsel for the petitioner.

The petitioner is apprehending his arrest in connection with Sessions Trial No. 521 of 2007, arising out of Nawada Town P.S.Case No. 138 of 2006 registered for the offences punishable under Sections 147, 148, 149, 341, 326, 307, 302 of the Indian Penal Code and Section 27 of the Arms Act.

It has been submitted on behalf of the petitioner that petitioner has not been sent up for trial but later on three witnesses have named this petitioner and, as such, summons has been filed against the petitioner under Section 319 Cr.P.C. However, it has been submitted that injured has not named this petitioner.

Heard learned APP also.

Having heard both sides and considering the fact that



the court below has issued summons on the basis of the materials on record against the petitioner under Section 319 Cr.P.C., let the petitioner, named above, surrender in the court below and pray for regular bail, which shall be considered keeping in view the fact that the injured has not named this petitioner, and disposed of preferably on the same day the bail application is filed, without being prejudiced by this order.

With the above observations, this application is disposed of.

(Vinod Kumar Sinha, J)

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