

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.44288 of 2017

Arising Out of PS. Case No.-164 Year-2016 Thana- KUMARGHAND District- Madhepura

Gulshan Kumar @ Gulshan Kumar Singh, Son of Sikandar Singh, Resident of Village- Bishanpur, Koralahi, Ward No.06, P.S.- Kumarkhand, Dist-Madhepura..... Petitioner

Versus

The State of Bihar. Opposite Party

Appearance :

For the Petitioner/s : Mr. Ramesh Kumar Singh

For the Opposite Party/s : Mr. SMT. REENA SINHA

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

2 21-09-2017 Heard learned counsel for the petitioner and learned APP for the State.

The petitioner apprehends his arrest in connection with Kumarkhand P. S. Case No. 164 of 2016 registered for the offences punishable under Sections 224 and 225 of the Indian Penal Code.

Allegedly, when Mithilesh Kumar Singh, an accused of offence under Sections 376/34 IPC, was apprehended by the Police (informant) the petitioner and others forcibly got him freed.

Submission is of false implication and that the petitioner is a student having no criminal antecedent, no offence as alleged is made out against him. The accused Mithilesh Kumar Singh fled away himself nobody has helped him but now he is in custody and as such the petitioner deserves sympathetic



consideration.

Learned APP seriously opposes the prayer of pre-arrest bail.

In the facts and circumstances stated above, this Court is not inclined to grant privilege of pre-arrest bail to the petitioner and accordingly, his such prayer stands rejected.

However, the petitioner, if so advised, surrenders and seeks regular bail, then his prayer of bail shall be considered on its own merit without being prejudiced by the present order preferably on the same day.

(Jitendra Mohan Sharma, J)

avin/-

U		T	
---	--	---	--

