

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.54975 of 2017

Arising Out of PS.Case No. -1405 Year- 2016 Thana -WEST CHAMPARAN COMPLAINT
District- WESTCHAMPARAN(BETTIAH)

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1. Seikh Anwar, S/o Late Seikh Shamsul, Resident of Village- Nawtanwa,
P.S.- Shikarpur, District- West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar. null null
2. Mobarak Ansari, S/o Late Sadeek Ansari, Resident of Village-
Nawtanwa, P.S.- Shikarpur, District- West Champaran.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gauri Shankar Thakur

For the Opposite Party/s : Mr. Sri Humayou Ahmad Khan

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 19-12-2017 In view of the law laid down by this Court in the case
of *Salim Ansare @ Md. Salim Ansare and Others Vs. The State
of Bihar & Another [2015 (3) PLJR, 806]*, the learned Sessions
Judge, West Champaran, Bettiah has rightly held the application
of the petitioner filed under Section 438 of the Code of Criminal
Procedure to be not maintainable vide order dated 06.05.2017.

In that view of the matter, this application for grant of
pre-arrest bail is disposed of with a direction to the petitioner to
surrender and seek bail. In case the petitioner surrenders and seeks
bail, the same shall be disposed of by the learned Magistrate
taking into consideration the guidelines issued by this Court in



Salim Ansare @ Md. Salim Ansare (Supra) and without being prejudiced in any manner by this order or the order passed by the learned Sessions Judge.

(Ashwani Kumar Singh, J)

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