

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57505 of 2017

Arising Out of PS.Case No. -447 Year- 2001 Thana -BUXAR COMPLAINT CASE District-
BUXAR

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Vimal Kumar Mishra, S/o Harihar Nath Mishra, R/o Village- Nenua, P.S.-
Dumraon, District- Buxar.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Kashi Nath Mishra, S/o Late Deo Narayan Mishra, At present R/o
Gajadharganj, P.S.- Buxar (Town), District- Buxar, Permanent Address-
Village- Nenua, P.S.- Dumraon, District- Buxar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Damodar Prasad Tiwary, Advocate.
For the Opposite Party/s : Mr. Nawal Kishore Prasad, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 08-12-2017 Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in **Complaint**
Case No. 447(C) of 2001 instituted for the offence under Sections
147, 325, 382, 427 and 504 of the Indian Penal Code.

From the written report it appears that the case has
been registered in the year 2001. The petitioner did not appear in
the court below and process under Section 82 Cr. P.C. has been
issued against him.

It has been submitted on behalf of the petitioner that
petitioner was serving as constable in Indian Army in Assam and
Now, he has retired from service in the year 2013. After



retirement, he came to know about the instant case.

Since petitioner was absconding and process under Section 82 Cr. P.C. has already been issued, this Court is not inclined to grant anticipatory bail to the petitioner.

Prayer for anticipatory bail of the petitioner stands rejected.

Petitioner may surrender before the court below and make prayer for regular bail which shall be considered by the court below in accordance with law without being prejudiced by this order and if possible, disposed off on the same day.

(Sanjay Priya, J)

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