

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38737 of 2017

Arising Out of PS.Case No. -135 Year- 2016 Thana -SARAI District- VAISHALI(HAJIPUR)

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1. Suvesh Rai, S/o Late Ramdhari Rai, Resident of Village- Mansurpur,
P.S.- Sarai, District- Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vibhakar Kumar, Advocate

For the Opposite Party/s : Mr. Sri Umesh Lal Verma, APP

Mr. Manish Chandra Gandhi, Advocate

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2/ 28-08-2017

Heard learned counsel for the petitioner and learned

APP for the State as well as counsel appearing on behalf of the
Informant.

Counter Affidavit filed on behalf of the Informant
be kept with the record.

Petitioner apprehends his arrest in Sarai P.S. Case
No.135 of 2016 instituted for the offence under Section(s) 307
and other allied Sections of Indian Penal Code pending in the
Court of the Chief Judicial Magistrate, Vaishali at Hajipur.

It has been submitted by the counsel for the
Informant that anticipatory bail of other co-accused have been
rejected by a co-ordinate Bench of this Court by order dated
10.08.2017 passed in Cr. Misc. No.24870 of 2017 and processes
under Section 83 Cr. P. C. has already been issued against the



petitioner and others by order dated 04.07.2017.

In this view of the matter, this anticipatory bail application is not maintainable.

From the order dated 14.07.2017 annexed as Annexure-F to the Counter Affidavit, it appears that petitioner is absconding and processes under Section 83 Cr. P.C. has been issued against him. It further appears from Annexure-E that anticipatory bail of other co-accused have been rejected by a co-ordinate Bench of this Court by order dated 10.08.2017 passed in Cr. Misc. No.24870 of 2017.

In such circumstances, this Court does not find it a fit case for grant of anticipatory bail.

Prayer of the petitioner for grant of anticipatory bail is rejected.

Petitioner may surrender before the Court below and seek regular bail, which shall be considered and disposed off in accordance with law on its own merit without being prejudiced by this order.

(Sanjay Priya, J)

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