

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52730 of 2017

Arising Out of PS.Case No. -156 Year- 2017 Thana -RAMGARH District- BHABHUA (KAIMUR)

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1. Mukesh Kumar @ Mukesh Mourya Son of Ramanand Mourya, R/o Village- Sisaura, P.O.- Taraitha, P.S.- Ramgarh, District- Kaimur (Bhabhua).

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Anish Chandra, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 09-11-2017 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in connection with Ramgarh P.S. Case No. 156 of 2017, registered for the offences punishable under Sections 147/149/341 /323 / 324 /307/379 of the Indian Penal Code and Section 27 of the Arms Act, pending in the Court of Additional Chief Judicial Magistrate-I, Kaimur at Bhabhua.

Petitioner wants to withdraw this application to surrender before the learned Court-below.

The prayer of the petitioner shall be disposed of in the light of the judgment of this Court reported in 2004(3) PLJR 491 wherein this Court held that if the petitioner is on police bail



there is no apprehension of his arrest in the event of appearance after cognizance and there is no allegation of misuse of privilege of bail, there is no reason to send the petitioner to jail.

With the aforesaid observation this application stands disposed of as withdrawn.

(Birendra Kumar, J)

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