

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8673 of 2017

Arising Out of PS.Case No. -189 Year- 2014 Thana -BAIKUNTHPUR District- GOPALGANJ

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Md. Mirza Jahir Ansari S/o Md. Majahar Haque, Resident of village-
Khajuri, P.S.- Panapur, District- Saran(Chapra).

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Uday Pratap Singh, Advocate

For the Opposite Party/s : Mr. Sri Surendra Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

2 09-03-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner apprehends his arrest in connection with
Baikunthpur P.S. Case No. 189 of 2014 registered under Sections
420,419,468,471,120(B), 384/34 of the Indian Penal Code.

Learned counsel for the petitioner submits that petitioner
has falsely been implicated in the present case. During
investigation the petitioner was allowed police bail and the charge
sheet has been submitted for the offence u/s 419/420 IPC. The
petitioner has not misused the privilege of police bail. Hence he
should be allowed to remain on anticipatory bail. He has relied
upon the decisions of this Hon'ble Court in case of **Mahandra
Prasad Gupta vs. State of Bihar** reported in **2004(3) PLJR 491**.



Learned Addl. P.P. appearing for the State opposes the prayer for bail and submits that the petitioner is on police bail hence this application is not maintainable.

Considering the facts and circumstances of the case and the submissions advanced on behalf of the State, I do not feel inclined to grant the privilege of anticipatory bail to the petitioner. His prayer for anticipatory bail is, therefore, rejected. However, the trial Court may pass order in light of decision of this Court reported in **2004(3) PLJR 491 (Mahandra Prasad Gupta vs. State of Bihar)**.

(Arvind Srivastava, J)

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