

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8619 of 2017

Arising Out of PS.Case No. -5 Year- 1996 Thana -GAYGHAT District- MUZAFFARPUR

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Asheshwar Rai, son of Prabhu Ray, Resident of Village+PO- Susta Tok,
P.S.- Gaighat, District- Muzaffarpur, Bihar.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rakesh Chandra

For the Opposite Party/s : Mr. Smt. Veena Kumari Jaiswal

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 09-03-2017 Heard the learned counsel for the petitioner as well as
the learned A.P.P. for the State.

In this application for anticipatory bail the petitioner apprehends his arrest in connection with Gaighat P.S. Case No. 05 of 1996/ Sessions Trial No. 326 of 1997 for the offences punishable under sections 147, 148, 149, 341, 323, 324, 325, 337, 302 and 201 of the I.P.C.

The petitioner is named in the First Information Report and as submitted, after completing investigation final form was submitted against the petitioner which was accepted and thereafter a petition was filed during trial to summon the petitioner also under section 319 of the Cr.P.C which was twice rejected by the learned court below, but the matter was remanded back by this



Court and then the petitioner has been summoned resulting he is apprehending his custody after his surrender in the said case and as such the petitioner deserves sympathetic consideration as he is simply an order giver.

The learned A.P.P. fairly submits that the petitioner was not sent up for trial and he has been summoned under section 319 of the Cr.P.C.

In the facts and circumstances as stated above, the petitioner, in case of his arrest or surrender within four weeks from the date of receipt/production of a copy of this order shall be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of. 11th Additional Sessions Judge, Muzaffarpur in connection with above mentioned case, subject to the conditions as laid down in section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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