

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27396 of 2017

Arising Out of PS.Case No. -149 Year- 1998 Thana -DHAMDAHA District- PURNIA

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1. Ghotla Chaudhary @ Basant Kumar Chaudhary, Son of Anil Kumar Chaudhary, Resident of Village- Champavati, Police Station- Sarsi, District- Purnia.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Choudhary Shyam Nandan

For the Opposite Party/s : Mr. Sri Murlidhar

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

4 20-07-2017 Heard both sides.

The petitioner apprehends his arrest in Dhamdaha (Sarasi) P.S. Case No. 149 of 1998 registered for the offences punishable under Sections 392 of the Indian Penal Code.

Shri Choudhary Shyam Nandan, learned counsel for the petitioner submits that the petitioner is not named in the FIR. Nothing has been recovered from the possession of the petitioner. Name of the petitioner figured in the case during course of investigation on mere suspicion but, it appears from perusal of the case diary that process under Sections 82 and 83 of the Code of Criminal Procedure have already been exhausted against the petitioner and the petitioner has been declared absconder.



Considering the facts aforesaid that the petitioner has already been declared absconder, I am not inclined to enlarge the petitioner above named on anticipatory bail.

Accordingly, the same is rejected.

If the petitioner surrenders in the court below within four weeks from the date of receipt/production of a copy of this order and pray for regular bail, the prayer for regular bail of the petitioner shall be considered on its own merit without being prejudiced of this order.

(Prabhat Kumar Jha, J)

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