

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35906 of 2017

Arising Out of PS.Case No. -10 Year- 2006 Thana -KASHICHAK District- NAWADA

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1. Rambilash Mahto, son of Ramautar Mahto, Resident of Village-Ghostama, P.S.- Nawada Town, District- Nawada.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Deepak Kumar

For the Opposite Party/s : Mr. Sir Pawan Kumar Chaurasiya

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

3 09-10-2017 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Kashichak Police Station Case No. 10 of 2006, disclosing offences under Sections 395/364 of the Indian Penal Code.

Learned counsel for the petitioner has submitted that the petitioner, who is of clean antecedent, is innocent and has not committed any offence. In fact, the petitioner has falsely been implicated in this case merely on the basis of confession of the co-accused, Birendra Mahto and except that there is nothing against the petitioner. Hence, the petitioner deserves the privilege of anticipatory bail.

Learned A.P.P. for the State has opposed the prayer



for bail and submitted that the petitioner has been declared absconder in this case, therefore, the criminal miscellaneous application is not maintainable.

Considering the facts and circumstances of the case, this Court is not inclined to grant the privilege of anticipatory bail to this petitioner. Accordingly the prayer for anticipatory bail is rejected in view of the fact that this criminal miscellaneous application is not maintainable as the petitioner has been declared absconder.

(Arvind Srivastava, J)

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