

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24834 of 2017

Arising Out of PS.Case No. -213 Year- 2016 Thana -KODHA District- KATI HAR

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Amit Sardar @ Mogali Sardar, son of Balbir Sardar @ Suchachi Sardar,
resident of Gedabadi Bazar, P.S. Korha, Dist. Katihar.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance:

For the Petitioner : Mr. Dharmendra Kumar Sinha, Adv

For the Opposite Party : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

3 01-07-2017 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 03.01.2017 in connection with Korha P.S. Case No. 213 of 2016 for the alleged offences under Sections 272, 273 of the Indian Penal Code and Section 47(a) of the Bihar Excise Act.

3. At the very outset learned counsel for the petitioner submits that while earlier approaching this Court in Cr. Misc. No. 49006 of 2016 for anticipatory bail the petitioner was directed to surrender before the learned Court below for disposal of the matter on the same day after considering that there was no compliance of Section 100 Cr. P. C. and the petitioner is of clean antecedents. Subsequently by order dated 30.01.2017 the learned Sessions Judge, Katihar while rejecting the prayer of the petitioner for bail has directed for renewal of prayer for bail after three months or



after framing of charge, whichever was earlier. Before expiry of the said three months however, the petitioner has once again moved for bail on 01.04.2017 which was dismissed by the Court of learned A.D.J.II-cum-Special Judge, Katihar by his order dated 06.04.2017.

4. Considering that the learned Sessions Judge, Katihar has already granted liberty to the petitioner to renew his prayer for bail after expiry of three months or after framing of charge whichever was earlier, this Court sees no reason to consider the bail application of the petitioner. The bail application is accordingly dismissed with liberty to the petitioner to file a fresh bail application before the learned Court below, to be disposed of on its own merits and without being influenced by any of the observation contained herein.

5. It is made clear that this Court has not expressed any opinion on the merits of the matter, whatsoever.

(Vikash Jain, J)

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