

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9017 of 2017

Arising Out of PS.Case No. -148 Year- 2016 Thana -RAHUI District- NALANDA
(BIHARSHARIFF)

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SATYENDRA MAHTON @ SATENDRA PRASAD, S/o Rajo Mahto,
resident of Village- Barandi, Police Station- Rahui, District- Nalanda.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raj Kishor Prasad

For the Opposite Party/s : Mr. Amit Kumar Rakesh

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR
ORAL ORDER

4 22-03-2017 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

The petitioner apprehends his arrest in Rahui P.S.
Case No.148 of 2016 registered for the offence under Sections
341, 323, 308, 504, 506/34 of the I.P.C.

Learned counsel for the petitioner submits that this
is a case under Sections 341, 323, 308, 504 and 506/34 of the
Indian Penal Code but the petitioner was on police bail during the
investigation and police has submitted charge sheet under Section
308 of the Indian Penal Code and after taking cognizance summon
has been issued. So, there is apprehension of arrest.

The petitioner is said to be on police bail, therefore,
this anticipatory bail application is not maintainable,



However, on appearance of the petitioner pursuant to summons issued by the court below his prayer of bail be considered in view of the decision of Mahendra Prasad Singh V. The State of Bihar reported in 2004(3)PLJR 491.

With this observation this anticipatory bail petition is disposed of.

(Arun Kumar, J)

AnilKrSinha/-

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