

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38821 of 2017

Arising Out of PS.Case No. -388 Year- 2016 Thana -CHAPRA TOWN District- SARAN

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Jitendra Nath Tiwary, Son of Shri Ram Tiwary, R/o Village- Sahebganj
Butabnari, P.S.- Chapra Town, District- Saran.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Y.C.Verma, Sr. Adv.
Mr. Anuj Kumar, Adv.

For the Opposite Party/s : Mr. Lalan Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 04-10-2017

Heard learned counsel for the parties.

In this case, the petitioner is seeking anticipatory bail in connection with Chapra Town P.S. Case No.388 of 2016, registered for the offence punishable under Section 302 of the Indian Penal Code.

It is the second time the petitioner has approached this Court for anticipatory bail. Earlier, the petitioner has moved before this Court in Criminal Miscellaneous No.20603 of 2017. The case was argued by Sri Y.C. Verma, Senior Advocate, on merit on different dates, when learned counsel for the petitioner felt, no favourable order is being passed, conveniently made a prayer for withdrawal of the case and this Court has allowed the prayer for withdrawal of the case.



The petitioner is a lawyer, who has let out his house in favour of informant, but later on, the petitioner developed evil eyes over the wife of the tenant. Allegation has been made that on his bad act, the lady was compelled to commit suicide.

Earlier, this Court could have disposed of the matter on merit, but at the request of learned counsel for the petitioner this Court had permitted the petitioner to withdraw the case. The present petition is nothing but misusing the present forum.

Looking to the nature of allegation, this Court is not inclined to grant bail to the petitioner. Accordingly, the prayer for bail is rejected. The petitioner is directed to surrender before the Court below within four weeks from today. In failure to surrender within the aforesaid period of four weeks, the Superintendent of Police, Chapra, shall arrest this petitioner and put him behind the bar.

(Shivaji Pandey, J)

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