

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3436 of 2018

Arising Out of PS.Case No. -147 Year- 2008 Thana -DARAUNDHA District- SIWAN

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1. Jalaluddin Mian @ Doctor @ Jalaluddin Ansari, Son of Late Amanullah Ansari @ Ansari Mian, R/o Village- Panditpur, P.S.- Janta Bnagar, Dist- Chapra (Saran).

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Aslam Ansari

For the Opposite Party/s : Mr. Sri Shailendra Kumar -1

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 05-03-2018

Heard learned counsel for the petitioners and the State.

The petitioner apprehends arrest in connection with Trial No. 438 of 2015 arising out of Daraunda P.S. Case No. 147 of 2008 instituted for the offence under Sections- 395 and 412 of the Indian Penal Code.

Counsel for the petitioner submits that petitioner is not named in the written report. His name has come during investigation in the confessional statement of co-accused. Learned counsel for the petitioner has further submitted that one of the co-accused namely, Budhan Nut has been acquitted vide order dated 25.11.2009 passed in S.Tr. No. 268 of 2009. The name of petitioner has surfaced in this case on the basis of statement of Budhan Nut.

Learned counsel for the State has submitted that in this case charge-sheet has been submitted in the year 2010 against the petitioner



for the offence punishable under Sections 395 and 412 IPC. Cognizance has already been taken in the year 2012. Petitioner has been declared absconder by order dated 23.04.2015.

In such circumstances, from such conduct of petitioner prayer for anticipatory bail is rejected in connection with Daraunda P.S. Case No. 147 of 2008 pending before learned Chief Judicial Magistrate, Siwan.

The petitioner is directed to surrender in lower court within a period of six weeks from date of receipt of the order and seek regular bail which will be considered by the court below in accordance with law and disposed off preferably on the same day, without being prejudiced by this order.

(Sanjay Priya, J)

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