

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51413 of 2018

Arising Out of PS. Case No.-147 Year-2017 Thana- KEWATI District- Darbhanga

Md. Naushad S/o Late Md. Shamsul, R/o Vill.- Asraha, P.S.- Keoti, District-Darbhangha.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Virendra Kumar

For the Opposite Party/s : Mr. Smt Indu Kumari Srivastava

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 05-09-2018 Earlier, the prayer for anticipatory bail of the petitioner was rejected by order dated 6.3.2018 passed in Cr. Misc. no. 3468 of 2018.

The second anticipatory petition has been filed on the ground that petitioner is suffering from heart disease and the doctor has advised him for bypass surgery in higher centre. In support of such submission, certificate of the R.B. Memorial hospital Darbhanga has been annexed as Annexure 6 series to the supplementary affidavit.

This court, after looking into the order dated 6.3.2018 passed in Cr. Misc. no. 3468 of 2018, finds that same has been passed on merit. Therefore, this Court is not inclined to entertain the second anticipatory bail petition.

This Cr. Misc. petition is, accordingly, disposed off



with direction to the petitioner to surrender in the learned Court below within a period of four weeks from the date of receipt of copy of this order and make prayer for regular bail which shall be considered and disposed off, if possible, on the same day by the learned court below in accordance with law without being prejudiced by the earlier order after taking into consideration the fact that petitioner has been suffering from the serious heart disease and he has been advised for bypass surgery as also the injury sustained by the injured which has been opined by the doctor to be simple in nature.

(Sanjay Priya, J)

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