

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55189 of 2018

Arising Out of PS. Case No.-786 Year-2016 Thana- AHIYAPUR District- Muzaffarpur

Saurav Kumar Mishra @ Kumar Saurav S/o Amod Kumar Mishra @ Amod Mishra, R/o vill.- Swami Nagar, Purnea Motihari Marg, Mohalla- Kolhua Paigambarpur, Bairia, P.S.- Ahiyapur, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjiv Sharan

For the Opposite Party/s : Mr. Sri Binod Kumar

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 12-09-2018 Heard learned counsel for the petitioner, learned APP for the State and learned counsel for the informant.

Petitioner apprehends his arrest in Ahiyapur (Muzaffarpur) P.S. case no. 786 of 2016 instituted for the offence under Section 304 (B) of the Indian Penal Code.

This is the second anticipatory bail petition filed on behalf of the petitioner.

Earlier, his prayer for anticipatory bail was rejected by this Court vide order dated 24.1.2018 passed in Cr. Misc. no. 49616 of 2017.

Learned counsel for the petitioner has submitted that there are conversation of telephone call between the petitioner and the deceased which shows that they were on talking terms.



Learned counsel for the opposite party no.2 has submitted that all those phone calls are matters to be investigated by the police. Those documents have been enclosed by the petitioner in this bail petition.

This Court finds that earlier order dated 24.1.2018 was passed on merit after looking into the case diary and postmortem report.

Therefore, this Court does not find any fresh ground to grant anticipatory bail to the petitioner. Prayer for anticipatory bail of the petitioner stands again rejected.

Petitioner may surrender before the Court below and make prayer for regular bail which shall be considered and disposed of on its own merit in accordance with law without being prejudiced by the present order.

(Sanjay Priya, J)

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