

Criminal Miscellaneous No.71342 of 2018

Arising Out of PS. Case No.-491 Year-2013 Thana- SITAMARHI District- Sitamarhi

Gopal Krishna, Son of Chandra Kishore Singh, Resident of Village- Parsarma (wrongly described as Parasrama in Complaint/FIR), P.S.- Supaul, District-Supaul. Petitioner/s

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashhar Mustafa, Adv

For the Opposite Party/s : Mr. Sri Prem Kumar Jha, APP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL ORDER

2 18-12-2018

Heard learned counsel for the petitioner and

learned Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 363, 366(A), 467, 468, 376, 342, 506, 509, 34 of the Indian Penal Code.

This application is for review of the order of refusal of anticipatory bail by this Court by order dated 20.08.2014 passed in Cr.Misc.No.41623 of 2013 in connection with Sitamarhi P.S.Case No.491 of 2013.

After refusal of the prayer for anticipatory bail, the petitioner did not challenge the aforesaid order before the Supreme Court nor surrendered up-till-now nor the police has taken any step for apprehension of the petitioner.

It appears that by order dated 21.04.2014,



a quashing matter of the aforesaid FIR of Sitamarhi P.S.Case No.491 of 2013, no coercive step was ordered against the petitioner which also lost its force after dismissal of the quashing application on 28.06.2018. Even thereafter the petitioner has not surrendered.

What has been submitted before this Court for review of the said order has already been considered by the then Hon'ble Judge, who refused to grant anticipatory bail.

Hence, I am not inclined to review the order of refusal of anticipatory bail in connection with Sitamarhi P.S.Case No.491 of 2013 pending in the court of learned C.J.M., Sitamarhi.

If the petitioner does not surrender within three weeks, the learned court below would take coercive steps for apprehension of the petitioner.

Accordingly, this application is dismissed as devoid of any merit.

(Birendra Kumar, J)

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