

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18293 of 2018

Arising Out of PS.Case No. -161 Year- 2016 Thana -BAHERI District- DARBHANGA

- =====
1. Ravindra Kumar @ Rabindra Kumar, son of Sri Rajendra Rajak, posted & working as Junior Electrical Engineer, Baheri, P.S. - Baheri, District - Darbhanga, permanent resident of village - Barahiya, P.S. - Barahiya, District - Lakhisarai.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Manish Kumar No 13, Advocate

For the Opposite Party/s : Mr. Anil Prasad Singh, APP

=====

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3/ 25-04-2018

Heard learned counsel for the petitioner and learned

APP for the State.

Petitioner apprehends his arrest in **Baheri P.S. Case No.161 of 2016** instituted for the offence under Section(s) 304/34 Indian Penal Code pending in the Court of the **Additional Chief Judicial Magistrate, IX, Darbhanga.**

Prayer of the petitioner for grant of anticipatory bail was rejected by order dated 07.02.2017 passed by the Additional Sessions Judge, Darbhanga, with direction to surrender in the Court below since offence under Section 304-A is bailable. The petitioner did not surrender in the Court below. Thereafter, cognizance has been taken by the Court below for the offence



under Section(s) 304/34 Indian Penal Code. The petitioner has thereafter again filed application for grant of anticipatory bail before the Sessions Judge, Darbhanga, which was rejected.

In such circumstances, this Court finds that petitioner has not earlier surrendered in Court below after the order passed by learned Additional Sessions Judge. He has filed second anticipatory bail application after taking cognizance against him.

In such circumstances, this Court is not inclined to grant anticipatory bail to the petitioner.

Prayer of the petitioner for grant of anticipatory bail is **rejected**.

Petitioner may surrender before the Court below and make prayer for regular bail, which shall be considered and disposed off by the Court below, in accordance with law, preferably on the same day, without being prejudiced by this order.

JA/-

(Sanjay Priya, J)

U		T	
---	--	---	--

