

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12377 of 2018

Arising Out of PS. Case No.-259 Year-2017 Thana- SHRIKRISHNAPURI District- Patna

Sanjay Kumar @ Lallan Kumar @ Lallan Roy, Son of Sri Dr. Jawahar Lal Roy, Resident of Hospital Road, P.S.- Bhurkunda District- Ramgarh (Jharkhand).

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Usha Kumari Singh

For the Opposite Party/s : Mr. Sri Jitendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 26-04-2018 Heard learned counsel for the petitioner, informant and learned APP for the State.

Petitioner apprehends his arrest in Krishanapuri P.S. case no. 259 of 2017 instituted for the offence under Section(s) 363 and 366/34 of the Indian Penal Code.

Learned counsel for the informant has submitted that process under Section 82 Cr. P.C. has already been issued against this petitioner. He has relied on a judgment of Hon'ble Supreme Court since reported in (2012) 8 SCC 730 (Lavesb vs. State (NCT of Delhi) and has submitted that anticipatory bail petition is not maintainable as process has already been issued and executed against the petitioner. Therefore, this Court is not inclined to grant anticipatory bail to the petitioner. Prayer for



anticipatory bail of the petitioner stands 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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