

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4553 of 2018

Arising Out of PS.Case No. -243 Year- 2016 Thana -JOGAPATTI District-
WESTCHAMPARAN(BETTIAH)

=====

1. Md. Aiyub, Son of Islam Mian, Resident of Village- Dhabelwa, P.S.-
Jogapatti, District- West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma, Advocate

For the Opposite Party/s : Smt Pushpa Sinha, APP

=====

**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

2 24-01-2018 Heard learned counsel for the petitioner and the learned
counsel representing the State.

The petitioner wants to renew his prayer of pre-arrest bail which was earlier rejected vide order dated 23.02.2017 passed in Cr. Misc. No. 6993 of 2017, on the ground that no offence under Section 387 of the IPC is made out at best it can be offence under Section 385 of the IPC. The petitioner was raising voice against the misconduct of the informant regarding mid-day meal and other schemes, then the informant lodged this case falsely against the petitioner. The petitioner has filed Cr. W.J.C. No. 79 of 2017 and as such the petitioner deserves sympathetic consideration. Further, the criminal antecedent is concerned in that



case, cognizance has not been taken against the petitioner and as such practically he has got no criminal antecedent.

The learned A.P.P. opposes the prayer of pre-arrest bail.

In the facts and circumstances stated above, finding no good ground for reconsideration of prayer of pre-arrest bail, again prayer of pre-arrest bail of the petitioner stands rejected in connection with Jogapatti P.S. Case No. 243 of 2016 pending in the court of learned Additional Chief Judicial Magistrate-II, West Champaran at Bettiah.

However, in case and if so advised, the petitioner surrenders, he may seek for regular bail and stands on its own merit preferably on the same date without being prejudiced by this order.

(Jitendra Mohan Sharma, J)

khushbu/-

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

