

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.59903 of 2018

Arising Out of PS.Case No. -27 Year- 2017 Thana -PATLIPUTRA District- PATNA

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Sunit Kumar @ Sunit Sah @ Sunil Kumar @ Sunil Sah, s/o Sri Manik Sah,
r/o Mohalla- Jai Prakash Nagar, Road No. -5, P.S- Shastrinagar, Dist- Patna.
..... Petitioner/s

Versus

The State of Bihar

..... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Pathak, Advocate.
For the Opposite Party/s : Mr. Jitendra Kumar Sah, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 26-09-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner has preferred the present application under Section 438 of the Code of Criminal Procedure for grant of pre-arrest bail in connection with Patliputra P.S. Case No. 27 of 2017 registered under Sections 341, 323, 308, 379, 504, 506 & 34 of the Indian Penal Code.

His application for grant of pre-arrest bail was earlier rejected by this Court on merits vide order dated 27.02.2018 passed in Cr. Misc. No. 11666 of 2018.

On perusal of the aforesaid order dated 27.02.2018, it would be evident that the application for grant of pre-arrest bail of the petitioner was rejected on the ground of serious nature of allegation as also the role played by him. He is alleged to have



mercilessly assaulted the informant while being armed with iron rod and snatched Rs. 50,000/- and a golden chain from his possession. It would appear that while evading arrest, he is also tampering with the evidence and has got a compromise petition filed by the informant in the court below.

In my opinion, the said compromise petition annexed by the petitioner as Annexure- 5 to the present application is neither bonafide nor the same would entitle him to grant of pre-arrest bail as no order has been passed on the compromise petition and the allegations alleged are not even compoundable.

Accordingly, the application is rejected once again.

(Ashwani Kumar Singh, J)

Pradeep/Sneha

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