

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19192 of 2019

Arising Out of PS. Case No.-59 Year-2017 Thana- SAKRA District- Muzaffarpur

Santosh Kumar @ Sonu @ Santosh Thakur, Late Rajendra Thakur Resident of village-Rajapakar, P.S.- Sakara (Bariyarpur O.P.), District -Muzaffarpur, presently residing at Mohalla- Bhagwati Colony, Chauhata, Hajipur, P.S.- Town Hajipur, District - Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mahendra Thakur

For the Opposite Party/s : Mr.Aditya Narayan Singh.1

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

4 01-08-2019 Heard leaned counsel for the petitioner and the leaned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Sakra P.S. Case No. 59 of 2017, registered under Section 307/34 of the Indian Penal Code and Section 27 of the Arms Act, pending in the court of the A.C.J.M.-cum-Sub Judge-XIII, Muzaffarpur.

Learned counsel appearing on behalf of the petitioner submits that after institution of Sakra P.S. Case No. 59 of 2017 for the offence punishable under Section 307/34 of the Indian Penal Code and Section 27 of the Arms Act. The petitioner had filed his pre-arrest bail vide Criminal Miscellaneous No. 47044 of 2017, but the same was refused.



Later on, after investigation, Police submitted Final Form against the petitioner, but cognizance taking Court differing with the Final Form, took the cognizance of the offence under Section 307/34 of the Indian Penal Code and Section 27 of the Arms Act.

Since, the prayer for pre-arrest bail has already been rejected on merit, as such, I do not find any reason to re-consider the pre-arrest bail of the petitioner. Accordingly, his prayer for grant of anticipatory bail stands rejected. The petitioner is directed to surrender before the trial Court within four weeks and pray for regular bail, which would be considered by the trial Court in accordance with law without being prejudiced by the order of this Court.

(Rajendra Kumar Mishra, J)

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