

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 9648 of 2019

Arising Out of PS. Case No.-74 Year-2015 Thana- AMARPUR District- Banka

Sanjeev Singh Son of Late Surendra Prasad Singh Resident of Village -
Madachak

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nirbhay Kumar Singh
For the Opposite Party/s : Mr. Rajendra Prasad Nat

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 19-02-2019 Heard Mr. Nirbhay Kumar Singh, learned counsel

for the petitioner.

The petitioner seeks bail in anticipation of his arrest in connection with Amarpur P. S. Case No. 74 of 2015 dated 09.03.2015 instituted for the offences under Sections 376/511 of the Indian Penal Code.

It has been submitted on behalf of the petitioner that during the investigation of this case, the petitioner was on police bail and he has never misused the privilege of bail.

It has also been pointed out by Mr. Singh, learned advocate that though the case was lodged under Sections 376/511 of the I.P.C. but the police has submitted charge-



sheet only under Section 354-B of the I.P.C.

Considering the aforesaid facts, this Court is not inclined to entertain the present petition merely on the ground that the petitioner was already on police bail.

Should the petitioner surrender and seeks bail, the court below shall take into account that the petitioner has not misused the privilege of bail during the course of investigation and shall pass orders in accordance with law without being prejudiced with the fact that the present petition has not been entertained by this Court.

This petition shall stands disposed off with the aforesaid direction / observation.

(Ashutosh Kumar, J)

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