

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16678 of 2019

Arising Out of PS. Case No.-38 Year-2014 Thana- KADIRGANJ District- Patna

Mamaljeet Prasad, Son of Nawal Prasad, Resident of Village - Pandey Bigha,
P.S.- Kadirganj, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kripa Nand Jha, Advocate

For the Opposite Party/s : Mr. Chandra Sen Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 18-06-2019 This is an application for grant of anticipatory bail in connection with Complaint Case No.375(c) of 2017 arising out of Kadirganj P.S. Case No.38 of 2014, discloses for the offences under Sections 302, 34 of the Indian Penal Code.

The dead body of the father of informant was found and the complainant suspects the hands of the petitioner and others. It appears that after investigation that case was not found true, however, on protest petitioner cognizance has been taken against the petitioner.

Submission of the learned counsel for the petitioner is that the suspicion is absolutely nothing against the petitioner and other accused has been granted bail vide order dated 07.02.2019 passed in Criminal Misc. No.6862 of 2019 by a Co-ordinate Bench of this Court.



Heard learned A.P.P. and the learned counsel appearing on behalf of the complainant, who draw my attention to the counter affidavit filed by the complainant stating that petitioner has made false statement in paragraph-3 of this petition that he is an accused in a case of 2014 also and charge sheet has already been submitted in that case.

Having heard both sides, in view of the above facts to the case of suppression of fact by the petitioner, I am not inclined to grant privilege of anticipatory bail to the petitioner, however, the petitioner is directed to surrender before the learned court below and make prayer for regular bail, the same shall be considered by the learned trial court on its own merit, if possible to be disposed of on the same day.

With the aforesaid, this application is dismissed.

(Vinod Kumar Sinha, J)

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