

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15935 of 2019

Arising Out of PS. Case No.-873 Year-2017 Thana- BHAGALPUR COMPLAINT CASE
District- Bhagalpur

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AMARJEET KUMAR, Son of Bijay Singh, Resident of Village-Masudanpur
(Navtolia), P.S.-Bath, District-Bhagalpur.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Priyanka Kumari, Wife of Amarjeet Kumar, D/o Suresh Prasad Singh,
Resident of Mohalla at present Bhikhanpur Siyarnagar, P.S.-Ishakchak,
District-Bhagalpur.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajive Ranjan Singh, Advocate.
For the Opposite Party/s : Mr. Nagendra Prasad, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 26-03-2019 Heard learned counsel for the petitioner and the

State.

The petitioner seeks bail in **Complaint Case No. 873 of 2017**, instituted for the offence under Section(s) 323, 341, 498(A) and 34 of the Indian Penal Code, pending in the court of learned Sub Divisional Judicial Magistrate, Bhagalpur.

From the impugned order it appears that petitioner was granted provisional bail but the same was not confirmed by order dated 22.01.2019 passed by the court below in B.P. No. 1530 of 2018 and petitioner was directed to surrender in the court below.

Counsel for the petitioner submits that petitioner has



surrendered in the court below on 22.01.2019 and since then he is in custody. From the impugned order, it does not appear that any order has been passed with regard to bail on merit.

Therefore, this application is disposed off with direction to the petitioner to first move before the Sessions Judge by filing regular bail petition. The Sessions Judge will pass speaking order on merit without being prejudiced by this order.

(Sanjay Priya, J)

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