

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23276 of 2019

Arising Out of PS. Case No.-379 Year-2015 Thana- DEEPNAGAR District- Nalanda

BARE @ BARE PANDAY Son of Satendra Pandey Resident of Village -
Misiyama, P.S.- Masaurhi, District - Patna

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raj Kishor Prasad

For the Opposite Party/s : Mr.Gauri Shankar Gupta

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 23-07-2019 Heard learned counsel for the petitioner and the

State.

Petitioner in the present case is seeking anticipatory
bail in connection with Deepnagar P.S. Case No.379 of 2015
registered for the offence punishable under Section 395 of the
Indian Penal Code.

Learned counsel for the petitioner submits that the
name of the petitioner has transpired in the confessional
statement of the co-accused Santosh Kumar who was arrested
and has been granted regular bail. It is submitted that save and
except the confessional statement there is no material against
the petitioner.

Learned counsel for the State has opposed the prayer
for anticipatory bail submitting that this case is of the year 2015



and because the petitioner has not cooperated in course of investigation it has arrested the progress of the trial.

This Court finds from the records that the confessional statement of Santosh Kumar came in the year 2016, the present application is being filed three and half years thereafter. This Court is not willing to extend the benefit of anticipatory bail to the petitioner.

In case the petitioner surrenders in the court below within a period of four weeks from today and prays for regular bail, his prayer for regular bail shall be considered on its own merit without being prejudiced by the order of this Court and the same shall not be rejected only on the ground that this Court has not granted the anticipatory bail to the petitioner.

This application stands disposed off.

(Rajeev Ranjan Prasad, J)

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