

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34564 of 2019

Arising Out of PS. Case No.-447 Year-2016 Thana- MADHAURAH District- Saran

Sonu Singh S/o Kameshwar Singh R/o village- Atta, P.S.- Marhawrah,
District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Harish Kumar

For the Opposite Party/s : Mr. Ramchandra Sahni

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 28-05-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has filed the instant application for grant of anticipatory bail in connection with Marhowrah P.S. Case No. 447 of 2016, registered under Sections 341, 323, 324, 354/34 of the Indian Penal Code.

It is submitted on behalf of the petitioner that petitioner had furnished bail bond under Section 41A of the Cr.P.C. in course of investigation. It is further submitted that his case is covered by order dated 04.03.2015 passed in Cri. Misc. No. 6229 of 2015, a copy of which has been brought on record as Annexure-3 to the application. It is prayed that the instant application be also disposed of in terms of the said order.

Learned APP appearing for the State opposes the



application for anticipatory bail of the petitioner and submits that the allegations of the petitioner are of serious nature and his application should be rejected.

Having heard the counsel for the parties and having gone through the records including the order dated 04.03.2015 (Annexure-3) passed in Cri. Misc. No. 6229 of 2015, as held in the aforesaid case, the instant application is dismissed, holding the anticipatory bail petition to be not maintainable. Further, this application is disposed of in terms of the order dated 04.03.2015 passed in Cri. Misc. No. 6229 of 2015 with the observation that if the petitioner appears before Mr. Rakesh Kumar, learned Judicial Magistrate, 1st Class, Chhapra, Saran in connection with Marhowrah P.S. Case No. 447 of 2016 within six weeks from today, the concerned court shall consider the prayer for bail of the petitioner in accordance with law, keeping in view the well established principle that a person who is already on bail shall not be denied such privilege unless there is any allegation of misuse etc.

(Partha Sarthy, J)

sushma/-

U		T	
---	--	---	--

