

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40301 of 2019

Arising Out of PS. Case No.-106 Year-2017 Thana- UJIYARPUR District- Samastipur

GAUTAM KUMAR Son of Late Ram Sagar Mahto Resident of Village - Narepur, Bank Bazar, Ward No. 7, P.O. and P.S.- Bachhwara, District - Begusarai, presently posted as Assistant Teacher, Upgraded Middle School, Satanpur, Bahdura, Block and P.S. - Ujiyarpur, District - Samastipur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Purushottam Kumar Jha

For the Opposite Party/s : Mr.Ajay Mishra

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

3 28-08-2019

At the very outset learned APP invites reference to the order of the learned Sessions Judge from which it transpires that the petitioner's case for anticipatory bail has not been considered on merits rather the same has been dismissed for non-prosecution in view of non-representation of the petitioner on two dates.

2. In the above circumstances, this Court is not inclined to consider the petition for grant of anticipatory bail, which is dismissed with the observation that the petitioner shall be at liberty to approach the learned Court below for consideration of such prayer afresh on merits.

(Vikash Jain, J)

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