

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45381 of 2019

Arising Out of PS. Case No.-244 Year-1985 Thana- JAHANABAD District- Jehanabad

UPENDRA KUMAR @ UPENDRA KUMAR SINGH Son of Late Rajendar
Sharma Resident of Village and P.O.- MOKAR, P.S.- Jehanabad, District-
Jehanabad

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Navin Nikunj

For the Opposite Party/s : Mr.Ashok Kumar

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 22-10-2019 Heard learned counsel for the parties.

The petitioner is apprehending his arrest in connection with Jehanabad P.S.Case No.244 of 1985 (Sessions Trial No.457 of 2017/219 of 2017) registered for offences punishable under Sections 147, 148, 149 and 307 of the Indian Penal Code and Section 27 of the Arms Act.

From perusal of the record it appears that the petitioner was earlier granted provisnal bail and later on he evaded to appear before the learned court below and as such the bail bond of the petitioner was cancelled and now the anticipatory bail appreciation has been filed by the petitioner. Learned Addl. Sessions Judge has rejected the same on the ground that anticipatory bail application is not maintainable.



Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, 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, which will be considered by the learned court below on its own merit without being prejudiced by the order of this Court.

With the aforesaid direction, this application is dismissed.

(Vinod Kumar Sinha, J)

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