

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47836 of 2019

Arising Out of PS. Case No.-284 Year-2017 Thana- TEKARI District- Gaya

PINTU CHAUDHARY, aged about 36 years, Male, Son of Krishna Chaudhary, Resident of Village - Titaiganj, P.S.- Tekari, District- Gaya
... Petitioner

Versus

THE STATE OF BIHAR
... Opposite Party

Appearance :

For the Petitioner : Mr. Choubey Jawahar, Adv.
For the Opposite Party : Mr. Renuka Ratnakar, APP

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 04-09-2019 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the state.

The petitioner seeks pre-arrest bail in connection with Tekari P.S. Case No. 284 of 2017, pending in the Court of the Chief Judicial Magistrate, Gaya, for the offences alleged under Sections 302, 201 and 120B of the Indian Penal Code.

The learned counsel for the petitioner submits that earlier the prayer for pre-arrest bail of the petitioner was refused vide Cr. Misc. No. 77187 of 2018 on 25.06.2019, but, some facts were not placed at that time.

In fact, the petitioner was not present at the village on the date of alleged occurrence rather he was at Mumbai, which has come during investigation later on in the statement of the witnesses and the informant has filed the compromise petition on 08.12.2017 in the Court of learned Additional District Judge,



Gaya, where the S. Tr. No. 76 of 2017 arising out of the present case is pending.

Since, the prayer of the petitioner has already been refused on merit, hence, I do not find any reason to re-consider the prayer for pre-arrest bail of the petitioner.

Accordingly, the prayer for pre-arrest bail is **rejected**. The petitioner is directed to surrender before the Court below and seek regular bail, which will be considered on its own merit and without being prejudiced of this order.

(Rajendra Kumar Mishra, J)

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