

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49100 of 2019

Arising Out of PS. Case No.-219 Year-2019 Thana- SUPAUL District- Supaul

MD. HARUN RASHID @ MD. HARUN S/o Hazi Md. Akhtar Ali @
AKHTAR ALI Resident of Village - Pathra South Tola, Subhanpur, P.S.-
Pipra, Dist.- Supaul.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gopal Kumar Jha
For the Opposite Party/s : Mr.Surendra Prasad Singh

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 20-11-2019 This application, for grant of anticipatory bail,

arises out of Supaul P.S. Case No. 219 of 2019, disclosing

offences under Sections 341, 323, 307, 386/34 of the Indian

Penal Code.

Allegation against the petitioner is of demand of
rangdari and for that assaulting the informant causing injury to
him.

Submission of learned counsel for the petitioner is
that prior to lodging of the case by the informant, petitioner ha
lodged a case against the informant with respect to
misappropriation of money and due to which, the present false
case has been lodged.

Heard learned A.P.P. as well as learned counsel for the
informant. Learned counsel for the informant has opposed the



prayer for anticipatory bail on the ground that in this case process under Section 82 and 83 Cr.P.C. has already been exhausted, however, he failed to disclose the date on which the same has been effected.

In view of the above facts, this application is disposed of with direction to the petitioner to surrender in the court below within a period of three weeks from the date of receipt of a copy of this order in the court below and the court below shall verify as to whether, the process under Section 82 and 83 Cr.P.C. has been complied prior to filing of anticipatory bail application by the petitioner before the learned District & Sessions Judge, Supaul i.e. prior to 13.06.2019 and if it is found that process has been issued after filing of anticipatory bail application, the court below shall confirm the provisional bail of the petitioner already granted to him by a coordinate Bench of this Court vide order dated 06.08.2019, otherwise, the petitioner will have to surrender and pray for regular bail.

This application is, accordingly, disposed of.

(Vinod Kumar Sinha, J)

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