

Arising Out of PS. Case No.-1030 Year-1998 Thana- BEGUSARAI COMPLAINT CASE
District- Begusarai

... .. Petitioner/s

Versus

- Opposite Party/s

For the Petitioner/s : Mr. Rama Kant Sharma, Sr. Advocate,
Mr. S.S. Thakur, Advocate,
For the Opposite Party/s : Mr. Ganesh Prasad Singh, APP

ORAL ORDER

2 21-10-2019 Heard leaned counsel for the petitioner and the
leaned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Complaint Case No. 1030 (C) of 1998, registered under Section 376 and 511 of the Indian Penal Code, pending in the court of the Judicial Magistrate, 1st Class, Begusarai.

Learned counsel appearing on behalf of petitioner submits that, earlier, the petitioner had filed Criminal Miscellaneous No. 25931 of 2011 for pre-arrest bail, but after some arguments the same was withdrawn with liberty to surrender before the trial Court within fortnight for prayer of regular bail on 26.08.2011. The petitioner could not surrender



in trial Court for regular bail as Criminal Miscellaneous No. 35532 of 2011 was filed by the petitioner for quashing the cognizance order and further proceeding of the case was stayed but the same was finally dismissed on 06.11.2017. Further submission is that now the complainant has filed compromise petition in the court below.

Since, the Criminal Miscellaneous No. 25931 of 2011 filed on behalf of petitioner for pre-arrest bail was withdrawn on 26.08.2011 with liberty to surrender within a fortnight in the trial Court and seek regular bail, but the petitioner did not surrender. I find no reason to reconsider the prayer of pre-arrest bail of the petitioner at present. Accordingly, the prayer for pre-arrest bail of the petitioner is rejected. However, the petitioner is directed to surrender before the trial Court within four weeks and seek regular bail, which would be considered by the trial Court taking into consideration the present circumstance of the case as submitted by the learned counsel for the petitioner without being prejudiced by the order of this Court.

(Rajendra Kumar Mishra, J)

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