

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79005 of 2019

Arising Out of PS. Case No.-104 Year-2017 Thana- BUXAR INDUSTRIAL District- Buxar

SANJAY PANDEY @ SANJAY KUMAR PANDEY, aged about 34 years (Male), son of Sri Bhagwan Pandey, Resident of Village - Virkuwar Singh Colony, Charitravan, Buxar, P.S.- Buxar (T), Distt - Buxar.

... .. Petitioner

Versus

1. The State of Bihar
2. Juhi Kumari, aged about 32 years (Female), D/o- Jitendra Choubey, Resident of Village - Ahirauli, P.S.- Buxar (Industrial), Distt - Buxar.

... .. Opposite Parties

Appearance :

For the Petitioner/s : Mr. Arun Kumar Pandey, Advocate
For the Opposite Party/s : Mr. Bishweshwar Ram, APP

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 11-12-2019 Heard learned counsel for the petitioner and learned counsel for the State.

In this case, the petitioner is seeking anticipatory bail in connection with Buxar (Industrial) P.S. Case No. 104 of 2017, registered for the offence under Sections 341, 323, 498(A)/504/34 of the Indian Penal Code as well as Section 3 / 4 of the Dowry Prohibition Act.

It appears that the petitioner has already been granted Police bail, in such view of the matter, this anticipatory bail application of this petitioner is not maintainable.

Let the petitioner surrender before the Court below within a period of six weeks from today and pray for regular



bail, the Court below will consider the same in light of the ratio laid down in the case of *Mahendra Prasad Singh vs. the State of Bihar* reported in *2004(3) PLJR 491* and pass appropriate order, if the petitioner has not misused the privileged of Police bail.

Accordingly, this anticipatory bail application is disposed of.

(Shivaji Pandey, J)

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