

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5927 of 2019

Arising Out of PS. Case No.-346 Year-2009 Thana- ARA NAWADA District- Bhojpur

Sri Krishna Singh Son of Sri Ram Ratan Singh Resident of village-Hetampur P.O.-Sohara Tribhuani, P.S. Krishnagarh (Barhara), District Bhojpur, present residing at 10/6 Ramlal Mukharjee Lane, Po Salkiya, P.S.-Golabari, District-Howrah (West Bengal)

... .. Petitioner/s

Versus

1. State Of Bihar
2. Mahendra Prasad Singh Son of- Late Keshwar Singh, At Baligaon P.S.-Ayer District-Bhojpur, At Present Kahakpuri Eastern Gali of Jain College Ara, P.S. Nawada, District Bhojpur

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Ramakant Sharma, Sr. Advocate Mr. Jitesh Singh, Advocate Mr. Puneet Siddhartha, Advocate
For the State	:	Mr. Nityanand Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 05-02-2019 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner is apprehending his arrest in connection with Arrah Nawada P.S. case No.346 of 2009 registered under Sections 405, 420, 467, 468, 506/34 of the Indian Penal Code, pending in the court of Chief Judicial Magistrate, Bhojpur at Arrah.

Allegation is that the accused persons including the petitioner cheated the complainant.

The earlier anticipatory bail of the petitioner was considered by order dated 11.03.2014 passed in Cr.Misc.No.49402 of 2013. The petitioner was granted provisional anticipatory bail by order dated 11.03.2014 passed in above mentioned case. In



compliance of the said order, the petitioner surrendered and furnished the bail bond in the court below. Subsequently by order dated 16.09.2015, in the said case the anticipatory bail of the petitioner was rejected for the reasons as mentioned in the said order.

In the light of the order passed in the case of Bishundeo Sah vrs. The State of Bihar & ors., reported in 2011(1) PLJR 731, Counsel for the petitioner seeks permission to withdraw the present application with a liberty to approach before the court below and pray for regular bail.

Permission is granted.

Considering the facts and circumstances of the case, this application is dismissed as withdrawn.

Further, if the petitioner surrenders before the court below and prays for regular bail, same shall be considered on its own merit without being prejudiced by this order, taking into account paragraphs 20 and 21 of the order passed in the case of Bishundeo Sah vrs. The State of Bihar & ors., reported in 2011(1) PLJR 731.

(Sudhir Singh, J)

Narendra/-

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