

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17672 of 2020

Arising Out of PS. Case No.-108 Year-2014 Thana- SAHPUR District- Patna

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1. Gita Devi (Female) 49 years W/o- Janak Mahato Resident of Village- Daudpur, Bind Toli, Danapur, P.S.- Shahpur, District- Patna.
 2. Sunil Kumar, Male 30 years, S/o- Janak Mahato Resident of Village- Daudpur, Bind Toli, Danapur, P.S.- Shahpur, District- Patna.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr.Ashok Kumar Singh, Advocate
For the Opposite Party : Mr.Tapeshwar Sharma, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

3 06-10-2020 From the order dated 13.07.2020 it would be evident that petitioner no.1, namely, Gita Devi has already surrendered before the court below and therefore, her application for anticipatory bail was not pressed.

Heard learned counsel appearing on behalf of petitioner no. 2, namely, Sunil Kumar and learned counsel appearing on behalf of the State.

Petitioner no.2, namely, Sunil Kumar, is apprehending arrest in connection with Shahpur P.S. Case No. 108 of 2014 for offences under Sections 304(B), 201 and 34 of the Indian Penal Code.

From the materials available on record, it appears that



the first information report was registered on 30.05.2014 and as such petitioner no. 2 evades his arrest when he was specifically named in the FIR.

Considering the nature of allegation and gravity of the offence, this Court is not inclined to grant bail to the petitioner no.2, namely, Sunil Kumar. His application is rejected.

However, in the event petitioner no.2, namely, Sunil Kumar surrenders before the court below and seeks regular bail, the court below shall consider and dispose of the same on its own merits on the same day without being prejudiced by the order of rejection of his application.

(Anil Kumar Upadhyay, J)

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