

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85689 of 2019**

Arising Out of PS. Case No.-234 Year-2018 Thana- KHARHAGPUR District- Munger

PAWAN KUMAR MANDAL @ PAWAN MANDAL S/O Prakash Mandal @
JayPrakash Mandal Resident of Village - Baijalpur, P.S. - Kharagpur, Distt.-
Munger.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumar Kamal Nayan

For the Opposite Party/s : Mr. Uday Pratap Singh

**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER**

2 22-01-2020 This is an application for grant of anticipatory bail in connection with H. Kharagpur P.S. Case No. 234 of 2018, disclosing offences under Sections 302, 307, 394, 34 of the Indian Penal Code.

Petitioner was summoned under Section 319 of Cr.P.C. It appears that he was not accused in the F.I.R. but charge sheet has been submitted.

Submission of the learned counsel for the petitioner is that there is no evidence during the investigation against the petitioner. He has illegally been summoned under Section 319 Cr.P.C.

Heard learned A.P.P. also, who has opposed the prayer for anticipatory bail on the ground that after examination of the



witnesses and considering the materials available on the record, the learned trial court has summoned the petitioner under Section 319 Cr.P.C, to face trial.

Having heard both sides, in view of the submission, made above, I am not inclined to grant privilege of anticipatory bail to the petitioner. However, he has to surrender before the learned court below and make prayer for regular bail, the same shall be considered on its own merit, without being prejudiced by order of this Court, and if, possible to be disposed of on the same day.

With the aforesaid, this application is dismissed.

(Vinod Kumar Sinha, J)

Sunil Shukla/-

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