

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.6169 of 2020**

Arising Out of PS. Case No.-78 Year-2017 Thana- ANTICHAK District- Bhagalpur

ANJANI MANDAL Son of Basudeo Mandal Resident of Village - Anthawan,
P.S.- Ekchari, Distt - Bhagalpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.Chandra Sen Prasad Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

3 08-07-2020 Although learned counsel for the petitioner has not joined the proceeding, pursuant to the last order passed by this court the case diary has been received and the same is on the record.

Petitioner, in the present case, is seeking anticipatory bail in connection with Antichak P.S. Case No. 78/2017 registered for the offences under Sections 302/120(B)/34 of the Indian Penal Code and Section 27 of the Arms Act, pending in the court of learend A.C.J.M. - XIV, Bhagalpur vide G.R. No. 6049/2017.

It appears on going through the case diary that in various paragraphs the statement of prosecution witnesses have been recorded, they have not named this petitioner and after completion of investigation police has submitted charge-sheet



only against co-accused Gajadhar Kapri, Jaikant Mandal, Rajeev Mandal and Chamolal Mandal saying this petitioner is not sent up for trial.

Mr. Chandra Sen Prasad Singh, learned A.P.P. for the State submits that the word '*Anupreshit*' clearly means not sent up for trial and if this is the facts emerging from the case diary then the petitioner has no apprehension of arrest.

Having regard to the facts and circumstances of the case wherein it appears that the petitioner has not been sent up for trial, there is no reason to entertain this application as in such circumstance the petitioner would have no apprehension of arrest at this stage.

This application is, thus, disposed off as having become infructuous.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

