

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23892 of 2019

Arising Out of PS. Case No.-193 Year-2018 Thana- DHANAHA District- West Champaran

RAMCHANDRA SINGH Son of Late Chaman Singh Resident of Village -
Ranglahi, P.S.- Dhanha, Distt.- West Champaran , Bihar.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party/

Appearance :

For the Petitioner/s	:	Ms.Archana Sinha
	:	Mr.Mrigank Mauli
	:	Mr.Indrajesh Kumar
For the Opposite Party No. 2:	:	Mr.Rajesh Kumar Sharma
For the State	:	Mr.Ajay Kumar Jha

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

16 27-10-2021 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Dhanha P.S. Case No. 193 of 2018 for the offence under Sections 120(B), 406, 420 and 506 of the Indian Penal Code.

It is not in dispute that the petitioner is a proclaimed absconder under Section 82 of the Code of Criminal Procedure, 1973 and a process under Section 83 of the Cr.P.C. has been initiated.

Learned Senior counsel appearing on behalf of the petitioner informs this Court that the order of the Court below, whereby the petitioner has been declared a proclaimed absconder, which was put to challenge by filing criminal



revision application before learned Sessions Judge, Bettiah, which has been rejected.

However, the petitioner has challenged the said order passed by the learned Sessions Judge before this Court by making an application under Section 482 of the Cr.P.C.

It is settled legal position that an application for anticipatory bail under Section 438 of the Cr.P.C. by a person, who has been declared absconder, is not maintainable.

This application is accordingly dismissed.

The petitioner shall, however, be at liberty to renew his prayer for anticipatory bail, in case, he succeeds in the application which has been filed before the Court to question the legality of the order whereby he has been declared proclaimed absconder.

(Chakradhari Sharan Singh, J)

AKASH/-

U		T	
---	--	---	--

