

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39527 of 2020

Arising Out of PS. Case No.-111 Year-2020 Thana- GOGRI District- Khagaria

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Shyam Kumar, aged about 21 yers, male, S/o Naresh Chaurasia, Resident of
Village- Gamgalta, P.S.- Gogri, Distt.- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binod Kumar, Adv.

For the Opposite Party/s : Mr. APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

3 08-12-2021 Earlier "No Objection" was taken from Mr. Binod

Kumar, the learned Advocate and, therefore, the Bench

hearing the matter had directed this case to be listed after

six weeks in order to enable the petitioner to engage another

counsel.

Today, Mr. Binod Kumar, the learned Advocate has

submitted that after taking away the file, the *Pairvikar* of the

petitioner has again entrusted the case to him.



Heard the counsel for the parties.

The petitioner seeks bail in anticipation of his arrest in connection with Gogri P.S. Case No. 111 of 2020, dated 11.04.2020, instituted initially for the offences under Sections 447, 341, 323, 324, 325, 379, 427, 385, 504 and 506/34 of the Indian Penal Code but latter, Section 307 of the I.P.C. was also added.

After addressing the case on merits, the learned Advocate for the petitioner has fairly stated that in view of the nature of accusation against the petitioner, he has been granted police bail.

Considering this aspect of the matter, I am not inclined to exercise my discretion for grant of anticipatory bail to the petitioner.

The prayer for grant of anticipatory bail to the petitioner is, accordingly, rejected.

However, should the petitioner surrender before the Court below and seek bail, the Court below, after taking into account that during the period of police bail he did not breach any one of the conditions, shall pass order in



accordance with law on its own merits, without being prejudiced by the fact that the present anticipatory bail application has not been entertained by this Court.

The application stands disposed off accordingly.

(Ashutosh Kumar, J)

Praveen-II/-

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