

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83726 of 2019

Arising Out of PS. Case No.-302 Year-2018 Thana- SANGRAMPUR District- Munger

NARESH KUMAR SINGH Son of Late Sitaram Prasad Singh @ Sitaram Prasad Resident of Village-Bichchi Chanchar, P.S.-Sangrampur, District-Munger.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jyoti Ranjan Jha, Adv.

For the Opposite Party/s : Mr. Ran Vikram Singh, Adv.

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

4 23-08-2021 Heard Mr. Jyoti Ranjan Jha, learned counsel for the petitioner and Mr. Rana Vikram Singh, learned Advocate for the Vigilance Investigation Bureau.

The petitioner seeks bail in anticipation of his arrest in connection with Sangrampur (Tetia Bambar) P.S. Case No. 302/2018 instituted for the offences under Sections 420, 467, 468, 471 and 120B of the Indian Penal Code.

The prayer of the petitioner for grant of anticipatory bail was earlier rejected by Hon'ble Mr. Justice Vinod Kumar Sinha, (J) as he then was, vide order dated 23.01.2019 passed in Criminal Miscellaneous No. 1519 of



2019.

While rejecting the prayer for anticipatory bail, it was observed that if the petitioner surrenders before the court below and prays for bail, it shall be considered on its own merits, preferably on the same day and an order shall be passed without being prejudiced by the fact that his petition had not been entertained.

Mr. Jha, learned Advocate for the petitioner has submitted that due to certain unavoidable circumstances, the petitioner could not surrender before the Court below and seek bail. Hence, he has again filed an application for grant of anticipatory bail.

There is no reason for this Court to give a re-look at the matter. The petitioner ought to have surrendered within time in terms of earlier order.

However, taking note of the fact that similarly situated persons have been granted anticipatory bail by this Court and several persons have been granted regular bail by the Court below, this Court, therefore, observes that in case the petitioner surrenders before the court below within three



weeks from today, his application shall be considered on its own merits, taking into account that other persons who have been dismissed from service have been granted the privilege of bail and an order shall be passed in accordance with law without being prejudiced by the fact that this application has also not been entertained.

While saying so, this Court has also taken note of the fact that the petitioner is not in service and that the accusation with respect to obtaining appointment on forged certificate is not wholly correct.

The petition stands disposed of.

(Ashutosh Kumar, J)

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