

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29438 of 2021

Arising Out of PS. Case No.-435 Year-2020 Thana- PURNEA SADAR District- Purnia

SANTOSH KUMAR Son of Nityanand Singh Resident of Simalgachhi,
Birpur, Pokhariya, P.S.- Sadar, District- Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md Fazle Karim, Advocate.

For the Opposite Party/s : Mr. Madhuranand Jha, APP.

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 18-01-2022 Heard Md. Fazle Karim, learned counsel for the
petitioner and Mr. Madhuranand Jha, learned APP for the State.

The petitioner seeks bail in anticipation of his arrest in connection with Purnea Sadar (Mufassil) P.S. Case No. 435 of 2020 instituted for the offences under Sections 272/273 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act.

The learned counsel for the petitioner has submitted that the accusation against him is absolutely false. He further submits that two of the accused persons of this case have been granted anticipatory bail by this Court. However, he admits that none of those persons who have been granted anticipatory bail by this Court, have any criminal case of similar nature against them.



In view of the fact that the petitioner was made an accused in a case of similar nature about which reference has been made in Para-3 of the bail petition, I am not inclined to exercise my discretion for grant of anticipatory bail in favour of the petitioner.

The prayer for anticipatory bail is rejected.

However, if the petitioner surrenders before the Court below and seeks bail, it shall be taken into account that on similar allegation other persons have been granted bail and the court below shall pass an order without being prejudiced by the fact that the present anticipatory bail application on his behalf has not been entertained.

The application stands dismissed.

(Ashutosh Kumar, J)

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