

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32969 of 2022

Arising Out of PS. Case No.-187 Year-2020 Thana- AURAI District- Muzaffarpur

Rajesh Ray @ Bablu Ray Son of Nand Kishore Ray Resident of Village -
Jonki, P.S.- Aurai, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pradeep Kumar Sinha, Adv.

For the Opposite Party/s : Mr.Md. Ataur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 29-06-2022 Heard Mr. Pradeep Kumar Sinha, learned advocate for
the petitioner and learned Additional Public Prosecutor for the State.

The application for anticipatory bail of the petitioner was
earlier permitted to be withdrawn by order dated 14.09.2021.

Mr. Sinha, has filed the instant petition on the ground that
he was not the advocate at the time when the petition was withdrawn
and that the petitioners did not give any instruction to the earlier
lawyer to withdraw the petition.

The practice of filing such petitions is highly deprecated.
Nonetheless, since Mr. Sinha had not appeared on the last occasion,
this Court has given him a hearing.

The petitioner seeks bail in anticipation of his arrest in
connection with Aurai P.S. Case No. 187 of 2020 dated 05.09.2020
registered for the offences under Sections 147, 148, 341, 323, 307,
379, 504 and 506 of the Indian Penal Code.

The reasons for the petitioner to renew his prayer for



anticipatory bail are that no specific act of assault has been attributed against him and there is a family dispute as also the fact that the petitioner happens to be an agnate of the informant. He further submits that during the trial of the other accused persons who surrendered to the process of law, nothing concrete could be collected against the petitioner and the Informant has now chosen to compound the case with the petitioner.

None of these grounds weigh with this Court for granting anticipatory bail to the petitioner who ought to have surrendered before the court below and sought regular bail.

This Court does not know whether the petitioner has been declared an absconder. In any view of the matter, this Court is not at all inclined to entertain this application.

Accordingly, the prayer for anticipatory bail of the petitioner is rejected.

The petitioner must surrender before the court below positively within a period of four weeks from today and seek bail.

(Ashutosh Kumar, J)

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