

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.49987 of 2021

Arising Out of PS. Case No.-280 Year-2020 Thana- KONCH District- Gaya

TUNTUN KUMAR @ TUTUN YADAV @ RAVI RANJAN KUMAR Son of
Mithilesh Yadav Resident of Village- Garari, P.S.- Konch and District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manish Kumar No. 2, Advocate

For the Opposite Party/s : Mr. Binay Krishna, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 04-04-2022

Heard.

After some argument, it has been pointed out that from perusal of the FIR, it is evident that as per the allegation, offence under Section 376(3) is made out and hence, the present anticipatory bail application is not maintainable in the light of Section-438(4) of the Cr. P.C.

Considering the same, the present anticipatory bail application filed in connection with Konch P.S. Case No. 280 of 2020 stands dismissed as not maintainable.

In case, the petitioner surrenders in the court below and seeks regular bail, the same shall be considered on its own merit without being prejudiced by this order.

(Sudhir Singh, J)

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