

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7301 of 2023

Arising Out of PS. Case No.-211 Year-2015 Thana- CHAPRA MUFFASIL District- Saran

SUBHASH RAI @ JHARIMAN RAI SON OF DWARIKA RAI R/O
MOHALLA - DAHIYAWAN, P.S. - CHAPRA TOWN, DISTRICT -
CHAPRA (SARAN)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dr. Alok Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Shyameshwar Dayal, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 20-06-2023 Heard learned counsel for the petitioner and learned A.P.P.
for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 143, 448, 506, 341, 353, 342 and 379 of the Indian Penal Code.

Learned counsel for the petitioner submits that petitioner has antecedent of four cases.

The informant alleges that named accused persons including the petitioner along with some unknown persons entered into the administrative building of the University and took away records from the examination department.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in the present case. It is further submitted that petitioner during the course of investigation was on police bail but the police in mechanical manner submitted charge-sheet against



him. It is next submitted that since the petitioner was on police bail the law stands settled by a judgment of this Court in the case of **Mahendra Prasad Singh Vs. State of Bihar** reported in **2004 (3) PLJR 491**. It is also submitted that the said judgment was followed in the case of **Sheo Chandra Singh Vs. The State of Bihar** reported in **2007 (4) BBCJ 66** and thereafter in the case of **Jagnarayan Yadav and Ors. Vs. The State of Bihar** reported in **2010 (2) PLJR 684** wherein this Court has very clearly laid the law that once an accused who is on police bail and charge sheet is submitted then what steps have to be taken by the learned trial court.

In view of the submissions made by the learned counsel for the petitioner, the present anticipatory bail application is disposed of with a direction to the petitioner to surrender before the learned trial court on or before 03.07.2023 and the learned trial court shall on the same day dispose of the application keeping in mind the law enunciated by this Court as aforesaid.

Accordingly, the anticipatory bail application stands disposed of.

(Satyavrat Verma, J)

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