

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No.223 of 2019

Arising Out of PS. Case No.-259 Year-2018 Thana- SURYAGARHA District- Lakhisarai

JYOTI KUMAR S/o - Late Arun Singh Resident of Village- Rampur, P.S.-
Surajgarha, District- Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Parmanand Pd. Nr. Sahi, Adv.
For the Respondent/s : Mr.Raj Kishore Singh, APP

CORAM: HONOURABLE MR. JUSTICE BIBEK CHAUDHURI
ORAL ORDER

4 24-01-2024 Heard learned Advocate for the petitioner as well as
learned APP for the State.

2. The petitioner was granted anticipatory bail under Section 438 of the Cr.P.C. with condition that he would appear before the Court of learned Sessions Judge, Lakhisarai on the next date of hearing.

3. However, the petitioner did not appear physically on 9th January, 2019 and also on 8th January, 2019. Therefore, the petitioner's application under Section 439 of the Cr.P.C. was rejected. The impugned order for rejection of bail is *inter locutory* order and the same is not revisable.

4. The petitioner is at liberty to make similar prayer under Section 439 of the Cr.P.C. either before the Learned Sessions Judge, Lakhisarai or before this Court. Therefore,



when alternative efficacious relief is available under the statute,
the revisional application is not maintainable.

5. Therefore, the instant application is being devoid of
any merit and is accordingly dismissed.

(Bibek Chaudhuri, J)

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