

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41801 of 2024

Arising Out of PS. Case No.-427 Year-2021 Thana- SAHARSA SADAR District- Saharsa

Pankaj Kumar Son of Late Maheshwar Ram Resident of Village-New Colony,
P.S.- Saharsa, Distt. - Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Deepak Kumar

For the Opposite Party/s : Mr. Raj Kishor Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 23-07-2024 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Saharsa Sadar P.S. Case No.427/2021, registered for the offence punishable under Sections 341, 323, 324, 307, 447, 504, 34 of the Indian Penal Code.

3. The learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and has been falsely implicated in the instant case by the informant. It is next submitted that the petitioner was on police bail during the period of investigation, but the police in a mechanical manner submitted charge sheet, based on which, cognizance came to be taken under section 308 of the Indian Penal Code. It is next submitted that law stands well settled by a judgment of this



court that as to what steps have to be taken by the learned trial court when an accused who is on police bail, against him, charge sheet is submitted and for the said proposition relies on an order of this court in the case of **Mahendra Prasad Singh Vs. State of Bihar** reported in **2004 (3) PLJR 491**, **Sheo Chandra Singh Vs. The State of Bihar** reported in **2007 (4) BBCJ 66** and **Jagnarayan Yadav and Ors. Vs. The State of Bihar** reported in **2010 (2) PLJR 684**.

5. In view of the aforesaid submissions made by the learned counsel appearing on behalf of the petitioner, the present present anticipatory bail application is disposed of with a direction to the petitioner to surrender before the learned trial court on or before 19.08.2024 and the learned trial court shall on the same day dispose of the application, keeping in mind the law enunciated by this Court as recorded aforesaid.

6. Accordingly, the present anticipatory bail application is disposed of.

(Satyavrat Verma, J)

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