

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77660 of 2024

Arising Out of PS. Case No.-773 Year-2023 Thana- GOPALPUR District- Patna

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Pramod Kumar S/o Murarai Prasad Resident of Mohalla - Hanuman Nagar,
Saketpuri Road Number 3, PS- Patrakar Nagar, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Shri Rajendra Narain, Sr. Advocate Shri Arvind Kumar, Advocate
For the State	:	Shri Sunil Kumar Pandey, A.P.P.
For the Informant	:	Ms. Soni Shrivastava, Advocate Shri Kumar Shankaram, Advocate

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 17-01-2025 1. Heard Shri Rajendra Narain, learned Senior Counsel for the petitioner, learned A.P.P. for the State and Ms. Soni Shrivastava, learned counsel appearing on behalf of the informant.
2. The petitioner seeks bail in a case registered for the offences punishable under Sections 302/34 of the Indian Penal Code and Section 27 of the Arms Act.
3. Learned counsel appearing on behalf of the informant submits that earlier petitioner had moved this Court seeking anticipatory bail by filing Cr. Misc. No. 20487 of 2024 but the said anticipatory bail application was rejected on the ground that process under Sections 82 and 83 Cr.P.C. has been issued against the petitioner in January, 2024 itself. It is further submitted that process under Sections 82 and 83 Cr.P.C. was



issued that amply demonstrates that petitioner was absconding. It is next submitted that thereafter petitioner moved before the Hon'ble Supreme Court by filing Special Leave Petition (Criminal) Diary No(s). 22124 of 2024 but the Hon'ble Supreme Court also did not interfere with the order passed by this Court and directed the petitioner to surrender and seek bail before the learned trial court.

4. Learned counsel appearing on behalf of the informant next submits that petitioner thereafter surrendered and is in custody since 06.08.2024. Learned counsel further submits that no doubt other accused persons have been granted the privilege of anticipatory and regular bail by this Court but then the conduct of the petitioner for the present disentitle him for being considered for regular bail for the reason that if petitioner is granted the privilege of regular bail, he may again abscond.

5. Learned Senior Counsel appearing on behalf of the petitioner submits that since anticipatory bail and regular bail has been given to other accused persons as such the case of the petitioner be also considered on the same parameters but then is not in a position to rebut the submissions of the learned counsel appearing on behalf of the informant that process under Sections 82 and 83 Cr.P.C. was issued against the petitioner by the



learned trial court.

6. At this stage, learned Senior Counsel for the petitioner seeks permission to withdraw the regular bail with liberty to renew his prayer for bail after framing of charge.

7. Permission is accorded.

8. Accordingly, the prayer for bail is dismissed as withdrawn in connection with Sessions Trial No. 1303 of 2024 arising out of Gopalpur P.S. Case No. 773 of 2023 pending in the Court of learned Additional Sessions Judge-XXXIII, Patna/Successor Court.

(Satyavrat Verma, J)

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