

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 30TH DAY OF JUNE, 2016

BEFORE

THE HON'BLE MR. JUSTICE K.N.PHANEENDRA

CRIMINAL PETITION NO.4058 OF 2016

BETWEEN:

SRI. PAVAN KUMAR @ PAVAN
S/O SHIVANNA
AGED ABOUT 25 YEARS
RESIDING AT NO.32, 3RD B CROSS
CHOWDESHWARI NAGARA
LAGGERE
BANGALORE – 580 058

...PETITIONER

(BY SRI. BASAVARAJU B, ADVOCATE)

AND:

STATE BY
BASAVESHWARANAGARA, P.S.
REPRESENTED BY
STATE PUBLIC PROSECUTOR
HIGH COURT BUILDING
BANGALORE – 560 001

...RESPONDENT

(BY SRI. S. VISHWAMURTHY, HCGP)

THIS CRIMINAL PETITION IS FILED UNDER SECTION 438 OF CR.P.C. PRAYING TO ENLARGE THE PETITIONER ON BAIL IN THE EVENT OF HIS ARREST IN CR.NO.99/2016 (C.C.NO.11702/2016) OF BASAVESHWARA NAGAR P.S., BANGALORE FOR THE OFFENCE P/U/S 306 R/W 34 OF IPC.

THIS CRIMINAL PETITION COMING ON FOR ORDERS THIS DAY, THE COURT MADE THE FOLLOWING:

ORDER

Earlier the petitioner has approached this Court for grant of anticipatory bail in Criminal Petition No.2620/2016 in connection with Crime No.99/2016 for the offence under Section 306 r/w 34 of IPC.

2. This Court refused to grant anticipatory bail and the petition was dismissed on the direction that the petitioner is at liberty to approach the Court of Sessions or this Court under Section 439 of Cr.P.C. seeking regular bail after surrendering himself before the police, in which event, the learned Sessions Judge to dispose of the same without undue delay. Having taken such a direction from this Court, the petitioner has deliberately not appeared before the Sessions Court or surrendered before the police, but after waiting till filing of the charge sheet and also for releasing of the other accused persons, he has again approached this Court for grant of anticipatory bail.

3. I am of the opinion that, the conduct of the petitioner itself is not adorable. Therefore, he is not entitled to be released on bail and the anticipatory bail application therefore deserves to be dismissed. Accordingly, the petition is dismissed.

**Sd/-
JUDGE**

ap*