

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29774 of 2014

Arising Out of PS.Case No. -130 Year- 2014 Thana -SAHARSA District- SAHARSA

1. Ram Bahadur Singh S/o Late Bindeshwari Prasad Singh Resident of Village-Bharouli, P.S.-Saharsa, District-Saharsa.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dr. Rajesh Kumar Singh

For the Opposite Party/s : Mr. Nityanand (App)

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 15-01-2015 Heard learned counsel for the petitioner and learned counsel representing the State.

Petitioner apprehends his arrest in connection with Saharsa P.S. Case No. 130 of 2014 registered for the offences punishable under Sections 147, 148, 149, 323, 324, 307, 504, 506 of the Indian Penal Code and Section 27 of the Arms Act in which Section 302 Indian Penal Code was added later on.

It is submitted that against the petitioner there is no specific allegation for committing any overt act and the specific allegation is against co-accused Albert who has fired.

Learned APP submits that the petitioner is named in the FIR and all have assaulted brutally causing death of the informant's brother.

In the facts and circumstances stated above and considering the fact that the petitioner is named in the FIR and there is allegation that after catching hold the younger brother of the informant all started assaulting him brutally, this Court is not persuaded to grant the privilege of pre-arrest bail to the petitioner, accordingly, his such prayer stands rejected.

However, in case and if so advised, the petitioner surrenders and seeks regular bail before the court below, then his prayer shall be considered on its own merit on the same day without being prejudiced by the present order.

(Jitendra Mohan Sharma, J)

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