

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6996 of 2015

Arising Out of PS.Case No. -154 Year- 2014 Thana -MUNGER MUFFASIL District- MUNGER

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1. Harendra Prasad son of Ramjanam Prasad Resident of Village - Husse Chhapra, P.S. - Town, District - Saran at Chapra.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Aditya Narayan Singh-1

For the Opposite Party/s : Mr. R.B. Roy Raman (App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 26-02-2015 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

The petitioner apprehends his arrest in connection with Munger Muffasil P.S. Case No. 154 of 2014 registered under Sections-302, 379/34 of the Indian Penal Code.

The petitioner is named in the first information report and the informant claimed to have seen the occurrence but submission on behalf of the petitioner is that according to prosecution case itself, the alleged occurrence took place inside the house and at the time of alleged occurrence, the informant was not present in the said house and furthermore, no injury on the neck of deceased was found but learned Sessions Judge committed error on the record while passing the impugned order.

Considering the facts and circumstances of the case as well as submission of the parties, I do not think it proper to extend the privilege of anticipatory bail to the petitioner and accordingly, his prayer for anticipatory bail in connection with Munger Muffasil P.S. Case No. 154 of 2014 pending in the court of Chief Judicial Magistrate, Munger stands rejected.

However, if, the petitioner surrenders before the learned Chief Judicial Magistrate, Munger/concerned court and seeks regular bail, his regular bail application shall be disposed off by the learned Chief Judicial Magistrate, Munger/concerned court on the date of his surrender and thereafter, if, any regular bail petition is filed before the learned Sessions Judge, the said regular bail petition shall be disposed off by learned Sessions Judge on its merit without being prejudiced by this rejection order, particularly, keeping in mind the arguments, advanced by learned counsel for the petitioner before this court.

(Hemant Kumar Srivastava, J)

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