

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19755 of 2015

Arising Out of PS.Case No. -234 Year- 2013 Thana -AKBARPUR District- NAWADA

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Kailash Pandit S/o Mushari Pandit resident of Village-Puraini, P.S.-
Govindpur, District- Nawada

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sheo Kumar Prasad, Advocate.

For the Opposite Party/s: Mrs. Rita Verma, APP

For the Informant : Mr. Arun Kumar, Advocate.

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

3 18-08-2015

Heard learned counsel for the parties.

Having regard to the nature of allegation for offence under Section 302/34 of the Indian Penal Code and that whatever materials have come in course of investigation, those pointing out a figure of involvement of the petitioner and that co-accused Ramautar Pandit, having exactly identical allegation as that of the petitioner, has been refused even regular bail by this Court vide order dated 13.01.2015 in Cr. Misc. No. 31047 of 2014, this Court would not find that the petitioner can be given privilege of anticipatory bail.

If parity in granting bail on some allegation to the co-accused has to be followed, same logic has to also followed in rejecting the prayer, if the co-accused having similar allegation has been denied privilege of regular bail.

Be that as it may, this Court is not inclined to grant anticipatory bail to the petitioner but nothing said in this order however shall come in the way of the petitioner in consideration of regular bail of the petitioner which shall be, of course, decided on its own merits.

(Mihir Kumar Jha, J)

Sujit/-

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