

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24921 of 2013

Arising Out of PS.Case No. -222 Year- 2012 Thana -PHULIWARIA District- GOPALGANJ

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Alok Rai, S/o- Sri Mithilesh Rai, R/o- Village- Baraipatti, P.S. Yadopur,
District- Gopalganj. At present residing at Banjari Chowk, P.S. and District-
Gopalganj

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Satyendra Rai, Adv.

For the Opposite Party : Mr. Arvind Kr. Pandey (App)

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CORAM: HONOURABLE THE CHIEF JUSTICE
ORAL ORDER

6 01-04-2015 The petitioner figured as an accused in

Fulwaria P.S. Case No.222 of 2012, G.R. No.4175 of

2012, pending in the court of learned C.J.M., Gopalganj,

wherein offences punishable under Sections- 302/34 of

I.P.C. and Section-27 of the Arms Act were alleged.

Apprehending arrest, the petitioner filed

A.B.P. No.807 of 2013, in the court of learned District

and Sessions Judge, Gopalganj. The learned Judge

rejected the application through order dated 4.6.2013.

Hence, this application for grant of anticipatory bail

under Section-438 of Cr.P.C.

Heard learned counsel for the petitioner and

learned A.P.P. for the State.

The offence alleged against the petitioner

includes one punishable under Section-302 of I.P.C. It is not at all advisable to grant anticipatory bail in a case of this nature. It is brought to the notice of the Court that some of the co-accused have been granted bail. The petitioner too can make an endeavour in this behalf. The application is dismissed.

However, it is directed that, in case the petitioner surrenders and prefers an application for bail, the trial court shall consider the matter forthwith on merits.

(L. Narasimha Reddy,CJ)

K.C.jha/-

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