

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5879 of 2016

Arising Out of PS.Case No. -215 Year- 2015 Thana -AMARPUR District- BANKA

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1. Prakash Singh Son of Praduman Singh, Resident of Village- Jamua, Police Station- Amarpur, District- Banka.
 2. Dhrub Singh Son of Praduman Singh, Resident of Village- Jamua, Police Station- Amarpur, District- Banka.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Viveka Nandsingh, Advocate

For the Opposite Party/s : Mr. Ajay Kumar Jha, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 22-02-2016 Heard learned counsel for the petitioners and

learned Additional Public Prosecutor for the State.

This application for grant of anticipatory bail arises out of Amarpur P.S. Case No. 215 of 2015, disclosing offences under Sections 147, 148, 149, 307, 324, 384, 386, 379 and 302 of the Indian Penal Code and 27 of the Arms Act.

However, since the petitioner seeks anticipatory bail in a case registered for the offences punishable under Section 302 of the Indian Penal Code, I am not inclined to grant him the privilege of anticipatory bail in view of the Supreme Court decision in the case of *Jai Prakash Singh vs. State of Bihar and Another reported in (2012)4 SCC 379*.

Accordingly, this application for anticipatory bail is, hereby, rejected.

The petitioner is directed to surrender before the court below within two weeks and seek regular bail, if so advised. If he does so, his application for regular bail shall be considered on its own merit without being prejudiced by rejection of present application for grant of anticipatory bail.

This application stands disposed of with the observation as aforesaid.

(Chakradhari Sharan Singh, J)

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