

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42256 of 2015

Arising Out of PS.Case No. -83 Year- 2013 Thana -GHOGHARDIHA District- MADHUBANI

- =====
1. Manohar Yadav, Son of Bhola Yadav, resident of Village- Bararahi, P.S.- Bheja, District- Madhubani.
 2. Sokin Yadav, Son of Chhedi Yadav, resident of Village- Tengraha, P.S.- Bheja, District- Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar

For the Opposite Party/s : Mr. Kr.Virendra Narayan(App)

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

5 17-05-2016 Heard learned counsel for the petitioners and the learned Additional Public Prosecutor appearing on behalf of the State.

This application for grant of anticipatory bail arises out of Ghoghardiha P.S. case No. 83 of 2013, disclosing offence under Sections 302/34 of the Indian Penal Code and 27 of the Arms Act.

Since petitioners are accused in a case under Section 302 of the Indian Penal Code, I am not inclined to grant them privilege of anticipatory bail in view of the Supreme Court decision in the case of *Jai Prakash Singh Vs. The State of Bihar & anr.*, reported in *(2012)4 SCC 379*. I have also taken into account the fact that the First Information Report was lodged in

the year 2013 and the petitioners applied for anticipatory bail before the learned Sessions Judge, in the year 2015.

This application is, accordingly, rejected.

The petitioners are directed to surrender before the Court below within four weeks from today and seek regular bail, if so advised. If they do so, their application for regular bail shall be considered on its own merit, without being prejudiced by rejection of present application for grant of anticipatory bail.

(Chakradhari Sharan Singh, J)

ArunKumar/-

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