

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47328 of 2015

Arising Out of PS.Case No. -111 Year- 2015 Thana -BODHGAYA District- GAYA

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1. Nagina Kumari @ Nagina D/o Sidheshwar Yadav
2. Prakash Kumar @ Prakash S/o Sri Sidheshwar Yadav Both are resident
of village - Lohra, P.S. Bodh Gaya, Distt. - Gaya (Bihar)
..... Petitioners

Versus

The State of Bihar

..... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Vijay Kumar Sinha

For the Opposite Party/s : Mr. Bharat Bhushan(App)

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

3 29-02-2016 Heard learned counsel, appearing on behalf of the

petitioners, and the learned Addl. Public Prosecutor, appearing on

behalf of the State.

This application for grant of anticipatory bail arises out of

Bodh Gaya P.S. Case No. 111/2015, G.R.No. 1541/2015,

disclosing offences under sections 302, 201, 34 of the Indian penal

Code.

Since the petitioners are implicated 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 v. the State of Bihar &

anor., reported in 2012(4) SCC 379.

The learned counsel for the petitioners has not been able

to make out any exceptional circumstance, on the basis of which this Court could have granted the petitioners privilege of anticipatory bail.

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)

Surendra/-

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