

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.19132 of 2016

Arising Out of PS.Case No. -154 Year- 2012 Thana -PANCHRUKHI District- SIWAN

1. Pappu Singh @ Prafull Kumar Singh Son of Late Amar Singh Resident of Village - Sonbarsha, P.S. - G.B. Nagar (Tarwara), District - Siwan (Bihar).

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rakesh Kumar

For the Opposite Party/s : Mr. Dr. Kr.Uday Pratap(App)

**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER**

3 10-08-2016 Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Pachrukhi Police Station Case No. 154 of 2012, disclosing offences under Sections 302/201/34 of the Indian Penal Code.

Learned Additional Public Prosecutor, appearing on behalf of the State, pointed out that processes under Sections 82 and 83 of the Code of Criminal Procedure, 1973, have been issued.

Considering the above, in the light of the Supreme Court's decision, in the case of **Lavesh v. State (NCT of Delhi)**, reported in **2012 (8) SCC 730**, I am not

inclined to grant the petitioner privilege of anticipatory bail.

This application for anticipatory bail, is hereby, rejected.

The petitioner, Pappu Singh @ Prafull Kumar Singh, is directed to surrender before the Court below within a period of four weeks from today and seek regular bail, if so advised. If he does so, his application for regular bail shall be considered by the learned Court below on its own merit without being prejudiced by rejection of present application for grant of anticipatory bail.

Learned Counsel for the petitioner submits that some other co-accused persons have been granted regular bail by this Court.

The Court expects that the Court below shall take into account this aspect also while considering the petitioner's application for regular bail.

(Chakradhari Sharan Singh, J.)

Prabhakar Anand/-

U	✓	T	✓
---	---	---	---