

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48063 of 2015

Arising Out of PS.Case No. -25 Year- 2015 Thana -MEDANICHOWK District- LAKHISARAI

1. Sukesh Choudhary, son of Sri Suresh Choudhary,
2. Ram Bachan Singh, son of Sri Dani Singh, Bot are resident of Village-
Nandpur, P.S.- Suraygarha, District- Lakhisarai.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Thakur, Advocate
Mr. Pravin Kumar, Advocate

For the informant : Mr. Manoj Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 29-01-2016

Heard the parties.

The learned counsel appearing on behalf of the petitioners submits that, during the pendency of the present application, the petitioner no.2 Ram Bachan Singh has been apprehended by the police; therefore, the prayer for grant of anticipatory bail made on his behalf has become infructuous.

In view of the aforesaid submission, the application for grant of anticipatory bail made on behalf of the petitioner no.2 is dismissed as infructuous.

However, so far as the petitioner no.1 Sukesh Choudhary is concerned, he apprehends his arrest in a criminal prosecution registered under Sections 147, 148, 149, 324, 307, 387 and 506 of the Indian Penal Code as also under Section 27 of the Arms Act and under Section 3 (i) (x) of The Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Taking into consideration the fact that the petitioner no.1 is named in the first information report vide Annexure-1 as an accused with the allegations of his participation in the crime in

question and further taking into consideration the fact that he is accused in several other criminal cases, besides the present one, as mentioned in paragraph 3 of the petition itself, this Court is not inclined to accede to the prayer made on behalf of the petitioner no.1 for grant of anticipatory bail. Accordingly, his prayer for grant of anticipatory bail in connection with Mednichowki P.S.Case No. 25 of 2015 pending in the court of Sri Raghubansh Narain, learned Judicial Magistrate, 1st Class, Lakhisarai is rejected.

However, if the petitioner no.1 surrenders in the court below within a period of four weeks from today and applies for regular bail, then the same shall be considered and decided on its own merits without being prejudiced by the rejection of his prayer for grant of anticipatory bail by the present order.

(Birendra Prasad Verma, J)

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