

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37099 of 2016

Arising Out of PS.Case No. -32 Year- 2015 Thana -KAUAKOL District- NAWADA

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Bhutta Singh son of Late Lakhan Singh, resident of village- Begwa, P.S.-
Chandradeep, District- Jamui.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Prasad

For the Opposite Party/s : Mr. Sri Amit Kumar Rakesh

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

3 21-12-2016 Heard Sri Umesh Prasad, learned counsel for the

petitioner an Sri Amit Kumar Rakesh, learned Additional Public

Prosecutor.

The sole petitioner, apprehending his arrest in
Kawakole P.S. Case No. 32 of 2015 registered for the offence
under Section 364, 120(B), 34 of the Indian Penal Code has
prayed for grant of bail primarily on the ground that petitioner
was not named in the F.I.R. and even during investigation only on
the basis of confessional statement of the co -accused petitioner's
name has come . He further submits that at least two accused in
the present case have already been granted bail and in one case ,
case diary has been called for.

Learned Additional Public Prosecutor opposing the



prayer submits that it is true that petitioner's name has come on confessional statement of the co -accused, but petitioner is having criminal antecedent and this fact has been mentioned in paragraph no. 3 of the petition .

Considering criminal antecedent and the fact that at least in this case there is some material, the court is of the opinion that this petition may not be entertained for the purposes of grant of anticipatory bail. However, if petitioner surrenders before the court below within a period of six weeks from today and makes a prayer for regular bail , the learned court below without being prejudiced with this order may examine the same and pass appropriate order in accordance with law preferably on the same day.

(Rakesh Kumar, J)

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