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IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42949 of 2016

Arising Out of PS.Case No. -33 Year- 2016 Thana -BANIAPUR District- SARAN

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1. Alok Kumar Singh @ Chintu Kumar Son of Sri Subhas Singh resident of Village - Hansraj Pur, Police Station - Baniyapur, District - Saran at Chapra.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Vipin Kumar Singh
For the Opposite Party/s : Mr. Sri Abhay Kumar Roy

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

3 26-10-2016 Heard the parties.

This application, for grant of anticipatory bail, arises out of Baniyapur P.S. Case No. 33 of 2016, disclosing offences under Sections 341, 307, 120(B) and 387/34 of the Indian Penal Code.

Learned counsel for the petitioner, has submitted that only allegation against the petitioner is of having instigated other co-accused persons, whereupon firing was opened. He has further submitted that the petitioner is being implicated in false cases by the present informant inasmuch as, earlier also; the informant had got the petitioner implicated in Baniyapur P.S. Case No. 257 of 2013.

Learned senior counsel, appearing on behalf of the informant, has opposed the prayer of anticipatory bail and has

submitted that co-accused Anil Kumar Singh, has been refused, the privilege of regular bail by this Court. He has also submitted that the informant received multiple bullet injuries.

Considering the submissions advanced on behalf of the parties and the fact that the petitioner has criminal antecedent, I am not inclined to grant the petitioner, above named, the privilege of anticipatory bail.

This application is, accordingly, rejected.

The petitioner is directed to surrender before the learned 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.

(Chakradhari Sharan Singh, J)

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