

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58192 of 2015

Arising Out of PS.Case No. -54 Year- 2015 Thana -PATNA GRP CASE District- PATNA

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Deepak Kumar aged about 20 years, Son of Late Manoj Prasad, resident of Mohalla- Sudhi Tola, Mahendru, P.S. Pirbahore, Distt. Patna.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Anil Kumar Vishwkarma, Advocate

For the Opposite Party/s : Mr. Abhay Kumar No. 1, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 30-01-2016

Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State.

This application for grant of anticipatory bail arises out of Rail, Patna Junction (Rajendra Nagar) P.S. Case No. 54 of 2015, disclosing offences under Sections 302, 201 and 379/34 of the Indian Penal Code.

The petitioner is not named in the First Information Report. Learned counsel for the petitioner submits that despite the fact that there is no material against the petitioner, the Police is chasing to arrest the petitioner in connection with the present case.

However, since the petitioner seeks anticipatory bail in a case registered for the offences punishable under Section 302 of the Indian Penal Code, I am not inclined to grant him the privilege

of anticipatory bail in view of the Supreme Court decision in the case of *Jai Prakash Singh vs. State of Bihar and Another reported in (2012)4 SCC 379*.

Accordingly, this application for anticipatory bail is, hereby, rejected.

The petitioner is directed to surrender before the court below within two weeks and seek regular bail, if so advised. If he does so, his 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)

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