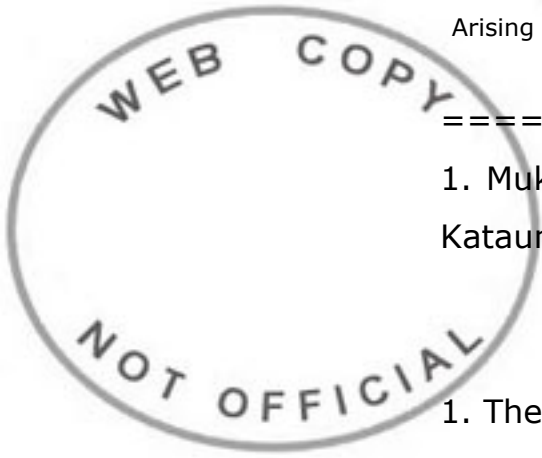




IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32245 of 2016

Arising Out of PS.Case No. -227 Year- 2015 Thana -GIRIYAK District- NALANDA
(BIHARSHARIFF)

=====

1. Mukesh Singh, Son of Naresh Singh, Resident of Village-
Katauna, P.S. Katrisarai, District Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Harsh Ahuja, Adv.
Mr. Kushal Kumar, Adv.
Mr. Jitendra Nath Tiwary, Adv.

For the State : Mr. Uday Pratap Singh, APP

For the Informant : Mr. Binod Kumar, Adv.

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

ORAL ORDER

2 26-08-2016 Heard learned counsel for the petitioner, learned
counsel for the informant and learned Additional Public
Prosecutor for the State.

 This application, for grant of anticipatory bail,
arises out of Giriyak (Katarisarai) P.S. Case No. 227 of
2015, disclosing offences under Sections 147, 148, 149,
379, 307, 302, 504 and 506 of the Indian Penal Code and

Section 27 of the Arms Act.

From the First Information Report, it appears that there is specific allegation against the petitioner of shooting the deceased. It is evident from the records that application of anticipatory bail of co-accused, namely, Naresh Singh, has been refused *vide* order, dated 10.11.2015, passed in Cr. Misc. No. 50702 of 2015, by this Court.

Learned counsel for the petitioner has tried to impress upon me that implication of the petitioner is malicious in the facts and circumstances of the case and the *post-mortem* report does not support the allegation made in the First Information Report.

These aspects can be seen at the stage of investigation.

Since the petitioner's custodial interrogation is required, I am not inclined to grant him the privilege of anticipatory bail.

This application is, accordingly, rejected.

The petitioner, above named, 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.

(Chakradhari Sharan Singh, J)

Praveen-II/-

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