

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29125 of 2016

Arising Out of PS.Case No. -43 Year- 2016 Thana -AMARPUR District- BANKA

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MD. NISAR @ DHOKO Son of Late Md. Jalal @ Md. Jahil @ Jallo
Resident of Village- Bhikhanpur, P.S.- Amarpur, District- Banka.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Jha

For the Opposite Party/s : Mr. Nawal Kishore Prasad

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 20-08-2016 Heard learned counsel for the petitioner and the learned
Addl. Public Prosecutor for the State.

This application for grant of anticipatory bail arises out
of Amarpur P.S.Case No. 43/2016, disclosing offences under
sections 302, 201, 120B/34 of the Indian Penal Code.

Since the petitioner is an accused in a case under section
302 of the Indian Penal Code, considering seriousness of the
offence and the allegation, this application for grant of
anticipatory bail cannot be entertained in view of the Supreme
Court decision in the case of Jai Prakash Singh v. State of Bihar &
Anr., reported in (2012)4 SCC 379.

This application for anticipatory bail is, accordingly,
rejected.

The petitioner is directed to surrender before the court

below within two weeks from today and seek regular bail, if so advised. If he does so, his application for regular bail shall be considered on its own merits without being prejudiced by rejection of present application for anticipatory bail.

(Chakradhari Sharan Singh, J)

Surendra/-

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