

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41708 of 2016

Arising Out of PS.Case No. -15 Year- 2013 Thana –NEEMCHAK BATHANI District- GAYA

=====

1. Sayeem Khan @ Shamim Khan S/o late Hamid Khan Resident of
Village- Simraur, P.S. Neemchak Bathani, District Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mrs. Lilawati Singh

For the Opposite Party/s : Mr. Shailendra Kumar -2

=====

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

5 14-12-2016 Heard both sides.

The petitioner apprehends his arrest in Neemchak Bathani P.S. case No.15 of 2013 under Section 307 and other Sections of the Indian Penal Code and under Section 27 of the Arms Act.

The informant alleged that he was carrying the idol of goddess for immersing but the petitioner, Sayeem Khan @ Shamim Khan, opened fire and other accused persons broke the idol.

The learned counsel for the petitioner submits that prayer of petitioner for anticipatory bail was earlier rejected vide order dated 12.10.2015 passed in Cr. Misc. No. 28702 of 2015. There is counter version but now the case has been compromised.



The petitioner is old man aged about 83 years but all the facts have been considered at the time of rejection of the prayer of petitioner for anticipatory bail. Therefore, I find no new material to reconsider the prayer and the prayer of petitioner for anticipatory bail is once again rejected.

If the petitioner surrenders in the court below, i.e., the learned Additional Chief Judicial Magistrate-X, Gaya in Neemchak Bathani P.S. case No. 15 of 2013, the learned court below shall consider the prayer for regular bail of the petitioner on its own merit and taking into consideration that the case has already been compromised.

(Prabhat Kumar Jha, J)

BKS/-

U		T	
---	--	---	--

