

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.14863 of 2016

Arising Out of PS.Case No. -59 Year- 2016 Thana -JAHANABAD District- JEHANABAD

1. Santosh Kumar Son of Rajendra Ram resident of village - Gandhi Nagar,
P.S. and District - Jehanabad

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajan

For the Opposite Party/s : Mr. Sahin Begum(App)

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 04-05-2016 Heard learned Counsel for the petitioner and
learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail,
arises out of Jehanabad Police Station Case No. 59 of 2016,
disclosing offences under Sections 326, 302/34 of the
Indian Penal Code and Section 27 of the Arms Act.

Considering the fact that the petitioner is an
accused in a case punishable under Section 302 of the
Indian Penal Code and there is allegation that at his
instance, the co-accused, Shankar Yadav, opened fire,
leading to the death of the deceased, taking note of the
decision of the Supreme Court in the case of **Jai Prakash
Singh v. State of Bihar and Another**, reported in

(2012) 4 SCC 379, I am not inclined to entertain this application.

This application for anticipatory bail, is hereby, rejected.

The petitioner, Santosh Kumar, 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.)

Prabhakar Anand/-

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