

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43080 of 2016

Arising Out of PS.Case No. -49 Year- 2016 Thana -DAGARUA District- PURNIA
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- 1. Md. Shahzad Alam son of Md Shamsad Alam
- 2. Md. Tarique Anwar @ Md Tarique son of Md Mojib
- 3. Md Ishtiaque son of Md. Kalim
- 4. Md Mustafeez Alam @ Majuk Alam son of Late Manjur All residents of village - Pashim Tol Dagarwa P.S. Dagarwa, District - Purnea.

.... Petitioner/s

Versus

- 1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nadimul Hasan
For the Opposite Party/s : Mr. Sri Ajay Kumar -2

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 25-10-2016 Heard the parties.

This application, for grant of anticipatory bail, arises out of Dagarwa P.S. Case No. 49 of 2016, disclosing offences under Section 395 of the Indian Penal Code.

Considering the seriousness of the offence, I do not find it to be a fit case for grant of anticipatory bail. The submission of learned counsel that some other co-accused has been granted the regular bail, cannot be accepted as the same cannot be a ground for grant of anticipatory bail, in this case, as the said aspect has to be considered by the learned Court below after perusal of the case diary.

This application is, accordingly, rejected.

The petitioners are directed to surrender before the learned court below within a period of four weeks from today and seek regular bail, if so advised. If they do so, their applications for regular bail shall be considered by the learned court below on their own merit, without being prejudiced by rejection of present application for grant of anticipatory bail.

(Chakradhari Sharan Singh, J)

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