

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.42497 of 2016

Arising Out of PS.Case No. -89 Year- 2016 Thana -BHAWANIPUR District-
PURNIA

1. Awadhesh Singh @ Awadhesh Kumar Singh

2. Mukesh Singh @ Mukesh Kumar Singh

Both are sons of Naresh Pd. Singh and resident of Village-
Karman Chak, P.S. Bhawanipur (Baliya), District Purnia.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajit Kumar Singh, Adv.

For the Opposite Party/s : Mrs. Anita Kumari, APP

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

ORAL ORDER

2 17-10-2016

Heard the parties.

This application, for grant of anticipatory bail,
arises out of Bhawanipur P.S. Case No. 89 of 2016,
disclosing offences under Sections 302/34 of the Indian
Penal Code.

The petitioners are named in the First
Information Report by the informant, who, according to the
Fardbeyan, was told by the deceased, when he was
breathing his last, that the petitioners and others were

responsible for his killing.

Learned counsel for the petitioners has submitted that longstanding enmity between the parties is evident from the First Information Report itself and there is no reason as to why these petitioners would involve in killing of the deceased.

However, considering the gravity of the offence and the fact that the petitioners are named in the First Information Report, I am not inclined to grant them the privilege of anticipatory bail in view of law laid down by the Supreme Court in case of ***Jai Prakash Singh vs. State of Bihar & Another***, reported in ***(2014) 4 SCC 379***.

Accordingly, this application for anticipatory bail is, hereby, rejected.

The petitioners, above named, are directed to surrender before the court below within a period of four weeks from today and seek regular bail, if so advised. If they do so, their 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/-c

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