

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.17828 of 2016

Arising Out of PS.Case No. -239 Year- 2014 Thana -SONBERSA District- SAHARSA

1. Shivrindan Singh @ Shivo Singh Son of Late Nathan Prasad Singh, resident of village- Karua, P.S.- Choutham, District- Khagaria
2. Halo Mahto @ Halo Singh, son of Jharilal Mahto @ Jhari Singh, resident of village- Saraiya, P.S.- Choutham, District- Khagaria

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Mishra
For the Opposite Party/s : Mr. H.A.Khan(App)

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

4 14-07-2016 Heard learned Counsel for the petitioners and learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Sonbarsa (Kashnagar O.P.) Police Station Case No. 239 of 2014, disclosing offences under Sections 302/201/34 of the Indian Penal Code.

Learned Counsel for the petitioners has placed reliance on an order, dated 09.05.2016, passed in Criminal Misc. No. 20208 of 2016, in order to contend that in similar circumstance, other co-accused persons have been granted anticipatory bail.

However, considering the fact that this case

arises out of a case under Section 302 of the Indian Penal Code and petitioner have criminal antecedent, I am not inclined to grant the petitioners privilege of anticipatory bail.

This application for anticipatory bail, is hereby, rejected.

The petitioners, namely, Shivnandan Singh @ Shivo Singh and Halo Mahto @ Halo Singh, 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.)

Prabhakar Anand/-

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