

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31777 of 2017

Arising Out of PS.Case No. -324 Year- 2016 Thana -JAGDIHSPUR District- BHOJPUR

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1. Brijesh Singh @ Bijesh Singh, Son of Sri Bhagawan Singh, Resident of
Village- Awsan Tola, P.S. Jagdishpur, District- Bhojpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prabhat Kumar Singh, Advocate.

For the Opposite Party/s : Mr. Brajendra Nath Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN
PRASAD
ORAL ORDER

2 13-07-2017 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Jagdishpur P.S. Case No. 324 of 2016 registered for the
offences punishable under Sections 147, 148, 149, 341, 323, 324,
307, 504, 506 and 379 of the Indian Penal Code and Section 25(1-
b)a/26/27 of the Arms Act.

Learned counsel for the petitioner submits that
although the petitioner is named in the F.I.R., but there is no
specific allegation of assault against the petitioner. There is a case
and counter case and co-accused, against whom there are
allegation of assault, have already been enlarged on bail by co-
ordinate Benches of this Court.



Learned A.P.P. opposed the prayer for anticipatory bail and submitted that in the present case, the occurrence as alleged is not disputed and the petitioner is one of the persons who had actively participated in the alleged occurrence.

In the facts and circumstances stated above, I am not inclined to grant bail to the petitioner, however if the petitioner surrenders and prays for regular bail, the Court below shall consider the same taking note of the fact that the co-accused have been granted bail in the present case by co-ordinate Benches of this Court and the case of the petitioner shall also be considered keeping in view that if similarly situated co-accused have been enlarged on bail by Co-ordinate Benches of this Court.

(Rajeev Ranjan Prasad, J)

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