

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.43119 of 2017

Arising Out of PS.Case No. -128 Year- 2016 Thana -SHEKHPURA District- SEKHPURA

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Sanjay Yadav @ Prasant Gaurav @ Prasant Kishore, Son of Saryug Prasad,
Resident of Village- Parbhu Bigha, P.S. Sheikhpura, District Sheikhpura.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sheo Kumar Prasad, Adv.

For the Opposite Party/s : Mr. Sakir Ahmad, APP

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

ORAL ORDER

2 21-09-2017

Heard the parties.

This application, for grant of anticipatory bail, arises out of Sheikhpura P.S. Case No. 128 of 2016, disclosing offences under Sections 326, 307 and 302/34 of the Indian Penal Code and Section 27 of the Arms Act.

From the order taking cognizance, dated 31.07.2017, it appears that the court below has issued warrant of arrest against the petitioner after having taking cognizance of the offence.

Considering the seriousness of the offence and the fact that the court below has issued warrant of arrest,



I am not inclined to entertain this application, in view of the Supreme Court's decision in case of **Jai Prakash Singh vs. State of Bihar & Another**, reported in **(2014) 4 SCC 379**).

This application is, accordingly, rejected.

The petitioner is directed to surrender before the learned 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)

Praveen-II/-

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