

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10861 of 2017

Arising Out of PS.Case No. -182 Year- 2004 Thana -BEGUSARAI TOWN District- BEGUSARAI

=====

Bhullu Singh Son of Nago Singh resident of village - Bariyarpur, P.S. -
Balliya, District : Begusarai.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Nakul Kumar Jamuar

For the Opposite Party/s : Mr. Sri Nirmal Kumar Sinha

=====

**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

4 19-04-2017 Heard the learned counsel for the petitioner as well as
the learned A.P.P. for the State.

In this application for anticipatory bail the petitioner apprehends his arrest in connection with Begusarai Town P.S. Case No. 182 of 2004 for the offences punishable under sections 307 and 326 of the I.P.C and section 27 of the Arms Act.

This is the case of the year 2004 and the petitioner came for the pre-arrest bail after long lapse of time. The allegation in the FIR. is that Karu Singh and one unknown boy came and Karu Singh opened fire which hit in the chest of the informant resulting he fell down and became senseless and thereafter both fled away by starting the vehicle towards western direction. The name of the petitioner transpires in the confessional statement of the co-accused.



Submission is that save and except confessional statement of the co-accused there is nothing against the petitioner, he is not named in the FIR, besides confessional statement there is no other material against him and as such he deserves sympathetic consideration.

The learned A.P.P. opposes prayer for pre-arrest bail of the petitioner by submitting that this is a case of the year 2004 and the petitioner remained absconding since long.

In the facts and circumstances as stated above, considering that this is a case of the year 2004 and the petitioner has come after long lapse of time for the pre-arrest bail and as such I am not inclined to grant privilege of pre-arrest bail to him and accordingly his such prayer stands rejected in connection with the aforementioned case pending in the court of Sri Rakesh Kumar, J.M. 1st Class, Begusarai.

However, in case and if so advised, the petitioner surrenders and seeks regular bail then his prayer for regular bail shall be considered on its own merits without being prejudiced by this order.

(Jitendra Mohan Sharma, J)

Abhay/-

U		T	
---	--	---	--

