

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.23742 of 2018**

Arising Out of PS.Case No. -59 Year- 2001 Thana -BARHARIA District- SIWAN

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Prayag Prasad @ Prayag Sah @ Prayag Sao, son of Achhe Lal Prasad @ Achhelal Sao, resident of Village- Sawana, Police Station- Barharia, District- Siwan.

.... .... Petitioner

Versus

The State of Bihar.

.... .... Opposite Party

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**Appearance :**

For the Petitioner/s : Mr. Ashok Kumar

For the Opposite Party/s : Mr. Satyadev Prasad Singh Yadav

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**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA**  
**ORAL ORDER**

2      20-04-2018                      Heard learned counsel for the petitioner.

Petitioner apprehends his arrest in connection with Barharia P.S.Case No. 59 of 2001 registered for the offences punishable under Sections 302, 120B/34 of the Indian Penal Code and 27 of the Arms Act.

Allegation against the petitioner and other accused persons is that they have assaulted grandfather of the informant, causing his death and also there is suspicion that they have conspired in the murder of grandfather of informant.

Submission of learned counsel for the petitioner is that except suspicion there is nothing against him and co-accused having similar allegation has been granted privilege of anticipatory bail by a co-ordinate Bench of this Court vide order



dated 12.11.2014 passed in Cr.Misc.No.23192 of 2014.

Heard learned APP also, who has opposed the prayer for anticipatory bail of the petitioner.

Having heard both sides and from perusal of the record it appears that the case is of the year 2014 and petitioner was absconding, as such, this is not a fit case for grant of anticipatory bail, rather petitioner should surrender and make prayer for regular bail, which shall be considered on its own merit and also on the basis of submission that co-accused has been granted privilege of anticipatory bail in this case.

With the above observation, this application is disposed of.

**(Vinod Kumar Sinha, J)**

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