

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7148 of 2019

Arising Out of PS. Case No.-1137 Year-2018 Thana- BIHTA District- Patna

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Lalak Mochi @ Rajkumar Mochi, son of Late Pitambar Mochi, Resident of
Village - Itwan, P.O.- Doghra, P.S. - Bihta, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ramesh Kumar

For the Opposite Party/s : Mr. Arun Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 07-02-2019 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises
out of Bihta Police Station Case No. 1137 of 2018, disclosing
offences under Sections 302/201/34 of the Indian Penal Code.

Considering the fact that the petitioner is an accused
in a case under Section 302 of the Indian Penal Code, in view of
the Supreme Court's decision in the case of **Jai Prakash Singh
v. State of Bihar and Another**, reported in **(2012) 4 SCC 379**, I
am not inclined to grant the petitioner privilege of anticipatory
bail.

This application for anticipatory bail, is hereby,
rejected.



The petitioner, Lalak Mochi @ Rajkumar Mochi, is directed to surrender before the 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.)

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