

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23465 of 2019**

Arising Out of PS. Case No.-278 Year-2017 Thana- BABUBARHI District- Madhubani

DEVENDRA YADAV @ DEVENDRA KUMAR YADAV Son of Bideshi
Yadav Resident of Village- Sara, Madana, P.S- Babubarhi, District-
Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar

For the Opposite Party/s : Mr.Bhanu Pratap Singh

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

ORAL ORDER

2 11-04-2019 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises
out of Babubarhi Police Station Case No. 278 of 2017,
disclosing offences under Sections 302/34 of the Indian Penal
Code.

In view of the fact that the case discloses commission
of offence under Section 302 of the Indian Penal Code and upon
perusal of the First Information Report, it appears that
participation of this petitioner in commission of the offence is
also alleged, in the light 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, Devendra Yadav @ Devendra Kumar
Yadav, 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.

Prabhakar Anand/-

(Chakradhari Sharan Singh, J.)

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