

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28383 of 2019**

Arising Out of PS. Case No.-2 Year-2019 Thana- RAJPUR District- Buxar

MD. AFTAB ALAM @ MD. AFTAB ANSARI @ AFTAB ANSARI Son of
Mujataba Ansari Resident of Village - Magrav, P.S.- Rajpur, District - Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shree Nivas Madhuvan

For the Opposite Party/s : Mr.Amit Kumar Rakesh

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

ORAL ORDER

2 01-05-2019 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Rajpur P.S. Case No.02 of 2019, disclosing the offence under Section 302/34 of the Indian Penal Code, including Section 27 of the Arms Act.

Learned counsel, appearing on behalf of the petitioner, has submitted that no specific overt act has been alleged against this petitioner and such allegation is against the co-accused Mehtab Ansari.

On perusal of the FIR, however, I find that there is allegation of active participation of the petitioner in commission of the offence. No case for grant of anticipatory bail is made out, in view of the decision



rendered by the Supreme Court in the case of **Jai Prakash Singh Vs. The State of Bihar**, reported in **(2012) SCC 379**.

The application is accordingly dismissed.

(Chakradhari Sharan Singh, J)

HR/-

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

