

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30168 of 2019**

Arising Out of PS. Case No.-312 Year-2018 Thana- BARARI District- Katihar

MD. MOUKAMMAL HUSSAIN @ MD. MOUKAMMAL Son of Late Md. Afzal Hussain Resident of Village - Dumaria, Sukhasan Milik, P.S.- Barari, Dist.- Katihar.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajit Kumar Singh

For the Opposite Party/s : Mr. Anil Prasad Singh

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 07-05-2019 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Barari Semapur P.S. Case No. 312 of 2018, disclosing offences punishable under Sections 147, 148, 149, 302 and 307 of the Indian Penal Code.

Since there is allegation in the First Information Report of active participation of this petitioner, the submission made on behalf of the petitioner, that allegation of fatal assault is against other persons and, therefore, this petitioner should be allowed the privilege of anticipatory bail, cannot be accepted. This application is, accordingly, dismissed.

The petitioner is directed to surrender before the Court below within four weeks from today and seek regular



bail, if so advised. If he does so, his application for regular bail shall be considered on its own merit without being prejudiced by rejection of the present application for grant of anticipatory bail by this Court.

(Chakradhari Sharan Singh, J.)

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