

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31226 of 2019

Arising Out of PS. Case No.-64 Year-2019 Thana- BUXAR District- Buxar

RAHUL YADAV S/O Fagu Yadav R/o Vill- Naibajar Mathiya More, P.S.-
Buxar (M), Dist.- Buxar.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Dr. Kamal Deo Sharma

For the Opposite Party/s : Mr.Md. Fahimuddin

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 10-05-2019 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Buxar (T) P.S. Case No. 64 of 2019 for the offence under Sections 147, 148, 149 and 302 of the Indian Penal Code and Section 27 of the Arms Act.

Considering the fact that the petitioner is named in the First Information Report and his active participation has been alleged, I am not inclined to grant him privilege of anticipatory bail in view of law laid down by the Supreme Court in case of *Jai Prakash Singh vs. The State of Bihar*, reported in (2012) 4 SCC 375.

Learned counsel appearing on behalf of the petitioner has submitted that the person, who had shot the fatal bullet, was arrested by the police and he has made his confessional statement before the police to the effect that it was he, who had



fired at the deceased. He has accordingly submitted that the petitioner deserves anticipatory bail.

The aforesaid submission does not convince me for the purpose of grant of anticipatory bail. This application is accordingly rejected.

The petitioner 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)

Pawan/-

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

