

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40567 of 2019

Arising Out of PS. Case No.-128 Year-2018 Thana- LAURIA District- West Champaran

NESAR MIAN S/O Late Nazir Mian Resident of village-Telpur, P.S.-
Lauriya, District- West Champaran.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr.Sanjeev Kumar
For the Opposite Party State:		Mr.Dinesh Singh
For the Informant	:	Mr. Md. Anis Akhtar

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 02-07-2019

Heard learned counsel for the parties.

This application for anticipatory bail arises out of
Lauriya P.S. Case No. 128 of 2018 for the offence under Section
302/34 of the Indian Penal Code.

It appears that regular bail of co-accused Azad Mian
has been rejected by this Court by order dated 05.11.2018
passed in Cr. Misc. No. 73177 of 2018.

Considering the above and considering the gravity of
the offence, in the light of Supreme Court's decision in the case
of *Jai Prakash Singh vs. State of Bihar*, reported in (2012) 4
SCC 379, I am not inclined to grant the petitioner privilege of
anticipatory bail.

This application is accordingly dismissed.

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)

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