

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48032 of 2019

Arising Out of PS. Case No.-412 Year-2018 Thana- ISLAMPUR District- Nalanda

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DILIP KUMAR @ DILIP MUKHIYA Son of Mano Prasad Resident of
Village- Maidi Khurd, P.S.- Khudaganj, District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anuj Kumar

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

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 27-11-2019 Heard the learned counsel for the petitioner and

the State.

The petitioner seeks bail in anticipation of his arrest in connection with Islampur P. S. Case No. 412 of 2018 dated 28.11.2018, which has been instituted for the offences under Sections 147, 148, 149 and 302 of the Indian Penal Code and Section 27 of the Arms Act.

Though the petitioner is not the assailant on the deceased but according to the F.I.R., the petitioner had handed over his gun, the weapon of assault, to one Mukesh, who fired at the father of the deceased leading to his death.

On account of such participation of the petitioner in



murdering the deceased, I am not inclined to grant anticipatory bail to him.

The prayer for anticipatory bail is rejected.

However, if the petitioner surrenders before the court below and prays for bail, such petition would be dealt with by the court below on its own merits, without being prejudiced with the fact that the present petition has not been entertained by this Court.

(Ashutosh Kumar, J)

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