

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54384 of 2019

Arising Out of PS. Case No.-848 Year-2014 Thana- SAHARSA District- Saharsa

BHARGAV KUMAR JHA @ MITHU JHA Son of Shiva Nand Jha Resident
of Mohalla- Gautam Nagar, Gangjala, Ward No.- 12, P.S.- Saharsa, District-
Saharsa.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Arun Kumar Jha

For the Opposite Party/s : Mr.Bal Mukund Prasad Sinha

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

ORAL ORDER

2 30-08-2019

Heard learned counsel for the parties.

This application for anticipatory bail arises out of
Saharsa P.S. Case No. 848 of 2014 for the offence under
Sections 323, 341, 447 and 504/34 of the Indian Penal Code and
Section 27 of the Arms Act.

The petitioner has no criminal antecedent as has been
stated in paragraph 3 of the application. The allegation against
the petitioner is of having caught the informant with his collar. It
is alleged against co-accused Himanshu Shekhar @ Bittu of
having opened fire in the informant's campus.

Learned counsel appearing on behalf of the petitioner
has submitted that the said Himanshu Shekhar @ Bittu and
another co-accused have been allowed anticipatory bail by this
Court by order dated 30.03.2015 passed in Cr. Misc. No. 15050



of 2015.

Be that as it may, since the petitioner has approached this Court for grant of anticipatory bail five years after lodging of the First Information Report, I am not inclined to grant him privilege of anticipatory bail. This application is accordingly rejected.

However, considering the nature of accusation, it is directed that if the petitioner surrenders before the Court below within a period of four weeks from today and seeks regular bail, 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, on the same day.

(Chakradhari Sharan Singh, J)

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