

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52776 of 2019

Arising Out of PS. Case No.-231 Year-2019 Thana- HARNAUT District- Nalanda

GAURAV KUMAR S/o Sanjay Kumar @ Sanjay Singh @ Sanjy Kumar R/o
village- Powari, P.S.- Harnaut, District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar

For the Opposite Party/s : Mr.Mithlesh Kumar Khare

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 23-08-2019

Heard learned counsel for the parties.

This is an application for grant of anticipatory bail in connection with Harnaut P.S. Case No. 231 of 2019, disclosing offences under Sections 302 and 120(B) of the Indian Penal Code, including Section 27 of the Arms Act.

Since there is direct allegation against the petitioner of having opened fire with other named co-accused persons, leading to the death of the deceased, I am not inclined to entertain this application for grant of anticipatory bail, considering the gravity of the offence, in the light of the Supreme Court's decision in the case of **Jay Prakash Singh Vs. State of Bihar and others**, reported in **(2012) 4 SCC 379**.

This application is accordingly dismissed.



However, the petitioner is directed to surrender in the court below within four weeks from today and seek regular bail, if so advised. If he does so, the court below shall consider his prayer for regular bail on its own merit, without being prejudiced by the rejection of the present anticipatory bail application.

(Chakradhari Sharan Singh, J)

HR/-

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

