

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30821 of 2020

Arising Out of PS. Case No.-10 Year-2020 Thana- BHAWANIPUR District- Purnia

MANISH SHARMA @ MANIK SHARMA S/O- Arun Sharma Resident of
Village - Baliya Ashram Tola, P.S. - Bhawanipur (Balia O.P.), District -
Purnea.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar, Advocate

For the Opposite Party/s : Mr. Akbar Ali, APP

For the Informant : Mr. Bijendra Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 08-01-2021

Heard learned counsel for the parties.

This application for anticipatory bail arises out of Bhawanipur P.S. Case No. 10 of 2020 for the offence punishable under Sections 147, 148, 149, 447, 452, 341, 342, 323, 324, 302 and 120(B) of the Indian Penal Code.

On perusal of the First Information Report, it appears that there is specific allegation against the petitioner that he had also entered into the informant's house with other miscreants, who killed the informant's mother.

Learned counsel appearing on behalf of the petitioner has submitted that there is no specific allegation of assault against this petitioner.

Learned counsel appearing on behalf of the informant has opposed the prayer for bail.



Be that as it may, considering the fact, as is evident from the First Information Report, that the petitioner has actively participated in commission of the offence, I am not inclined to grant the petitioner privilege of anticipatory bail in the light of the decision of the Supreme Court in case of ***Jai Prakash Singh vs. State of Bihar and Others***, reported in **(2012) 4 SCC 379**.

This application is accordingly dismissed.

(Chakradhari Sharan Singh, J)

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