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IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11179 of 2015

Arising Out of PS.Case No. -163 Year- 2012 Thana -BARUN District- AURANGABAD

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1. Shashi Pandey @ Shashi Ranjan Pandey.
2. Naga Pandey @ Nag Nath Pandey.
3. Ramnath Pandey.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :
For the Petitioners : Mr. Rajesh Kumar, Advocate.
For the Opposite Party : Mr. Ram Shankar Das(Spl.P.P.)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 18-03-2015 Heard learned counsels for the petitioners and the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 504, 323, 447/34 of the Indian Penal Code and 3(1)(x) of the SC/ST (Prevention of Atrocities) Act.

The accusations are of making assault and abusing by calling caste name.

It is submitted by learned counsel for the petitioners that the petitioners were on police bail, a statement to that effect has been made in paragraph no. 9 of the petition which reads as follows:-

"9. That in course of investigation the

authority has granted bail to the petitioners on execution of bond papers."

In the facts and circumstances of the case, the present anticipatory bail application is not maintainable in view of ratio laid down in the case of Mahendra Pd. Singh Vs. The State of Bihar, reported in 2004(3) PLJR 491, if the petitioners surrender within a period of six weeks from the date of receipt/production of copy of the order in connection with Barun P.S. Case No. 163 of 2012 pending in the court of the learned C.J.M. Aurangabad.

With this observation, the application is disposed off.

U.K./-

(Dinesh Kumar Singh, J)

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