

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5225 of 2015

Arising Out of PS.Case No. -111 Year- 2012 Thana -GARKHA District- SARAN

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1. Jugal Kishore Rai @ Yugal Kishore Rai.
 2. Rana Kumar.
 3. Aman Kumar.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Vijay Kumar Srivastva, Advocate.

For the Opposite Party : Mr. H.A. Khan (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 03-03-2015 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 323, 324, 341, 307/34 and 504 of the Indian Penal Code.

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.

In view of the above submissions, anticipatory bail application of the petitioners is not maintainable.

Let the learned court below consider prayer for regular bail of the petitioners in view of ratio laid down in the case of Mahendra Prasad Singh Vs.

The state of Bihar, reported in 2004 (3) P.L.J.R., 491.

It is made clear that in such a situation, prayer for regular bail can only be refused if the petitioners misused the privilege of police bail.

With this observation, the application is disposed off in connection with Garkha P.S. Case No. 111 of 2012, pending in the court of the learned C.J.M., Saran at Chapra.

U.K./-

(Dinesh Kumar Singh, J)

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