

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31458 of 2014

Arising Out of PS.Case No. -104 Year- 2011 Thana -GOH District- AURANGABAD

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1. Anisha Khatoon Wife of Maqbul Ansari Resident of village - Mirpur,
P.S. Goh, District - Aurangabad

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar Sinha

For the Opposite Party/s : Mr. Narendra Kumar Singh(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 02-02-2015 Heard learned counsel for the petitioners and the state.

The petitioners are apprehending arrest in Goh P.S. Case no. 104 of 2011 of pending in the court of the learned S.D.J.M., Daudnagar, Aurangabad registered for the offences punishable under sections 147,149,341,323,504,506 and 379 of the Indian Penal Code.

It is submitted that the petitioner was on police bail. Statement to the aforesaid effect has been made in paragraph 12 of the petition.

This application for anticipatory bail is not maintainable.

Let the learned court below consider regular bail of

the petitioner in view of the ratio laid down in the case of Mahendra Prasad Singh Vs. State of Bihar reported in 2004(3) PLJR 491. It is made clear that the petitioner can be denied regular bail only when he has misused the privilege of police bail.

This application is disposed of with the aforesaid observation/direction.

(Dinesh Kumar Singh, J)

Anil/-

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