

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26107 of 2015

Arising Out of PS.Case No. -70 Year- 2014 Thana -ASAWAN District- SIWAN

- =====
1. Dharmendra Yadav Son of Binda Chaudhary Resident of village -
Lohgajar, Police Station Assaon, District - Siwan
2. Saral Singh Son of Bashisth Singh Resident of village - Chhitanpur,
Police Station Assaon, District - Siwan

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar

For the Opposite Party/s : Mr. Ram Shankar Das(Spl.App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH
ORAL ORDER

2 17-07-2015 Heard learned counsel for the petitioners and the

state.

The petitioners are apprehending arrest in Assaon
P.S. Case no. 70 of 2014 of pending in the court of the learned
CJM, Siwan registered for the offences punishable under sections
341,323,324,379 and 504/34 of the Indian Penal Code and
sections 3(1)(x) of the Scheduled Castes and Scheduled Tribes
(Prevention of Atrocities) Act.

It is submitted that the petitioners were on police bail
which fact also gets reflected from the last paragraph of the
impugned order.

This application for anticipatory bail is not

maintainable.

Let the learned court below consider regular bail of the petitioners 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 petitioners can be denied regular bail only when they have 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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