

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50234 of 2015

Arising Out of PS.Case No. -320 Year- 2009 Thana -SURYAGARHA District- LAKHISARAI

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1. Sumitra Devi wife of Jawahar Verma,
 2. Shyam Sunder Verma @ Laddu Verma, son of Jawahar Verma
 3. Haru Verma @ Hari Verma, son of Late Radhe Verma
 4. Murari Verma son of Moti Prasad Verma All Residents of village- Uren,
P.S.- Kajra, District- Lakhisarai

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jai Prakash Singh
For the Opposite Party/s : Mr. Shailendra Kumar No.1(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 06-11-2015

The petitioners have renewed their prayer for bail in a case registered for the offences punishable under Sections 341, 323, 452, 379, 504/34 of the Indian Penal Code.

Earlier the bail application of the petitioners was disposed of vide order dated 17.09.2014 passed in Cr. Misc. No. 25683 of 2014 with a direction to the learned Chief Judicial Magistrate, Lakhisarai to pass appropriate order in view of the ratio laid down in the case of Arnesh Kumar vs. State of Bihar & Anr, reported in 2014(3) PLJR 314(SC).

Now the prayer has been renewed on the ground that on conclusion of the investigation the petitioners were not sent up for trial but differing with the final form, cognizance has been taken under Sections 341, 323, 452, 307/504 of the Indian Penal Code vide order dated 23.01.2014.

In view of the fact that order of cognizance was passed on 23.01.2014 and earlier the anticipatory bail application of the petitioners was disposed of on 17.09.2014, this Court is not inclined to interfere. However, keeping in view of the fact that petitioners were not sent up for trial on conclusion of the investigation, it is a case for consideration of prayer for regular bail, if the petitioners surrender within a period of six weeks in connection with Surajgarha(Kajra) P.S. Case No. 320 of 2009, pending in the Court of learned Chief Judicial Magistrate, Lakhisarai.

Accordingly the application is disposed of.

(Dinesh Kumar Singh, J)

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