

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5115 of 2015

Arising Out of PS.Case No. -36 Year- 2014 Thana -AMAUR District- PURNIA

1. Md. Sakir son of Md. Kantu.
2. Md. Sahid Son of Md. Kantu Both resident of Village- Doriya Tola
Baluba, P.S- Amour, District- Purnea(Bihar)

.... Petitioners

Versus

The State of Bihar Opposite Party

Appearance :

For the Petitioners : Mr. Mritunjay Kumar, Advocate
For the Opposite Party : Mr. S. Eheteshmuddin, APP

CORAM: HONOURABLE MR. JUSTICE I. A. ANSARI

ORAL ORDER

4 02-07-2015

This is an application, made under Section 438 of the Code of Criminal Procedure, seeking pre-arrest bail by the petitioners, namely, Md. Sakir and Md. Shahid, in connection with Amour Police Station Case No. 36 of 2014 under Sections 341/323/ 379/504/506/307/302 of the Indian Penal Code.

Perused the above application and materials on record including a copy of the order, dated 14.01.2015, passed, in A.B.P. No. 469 of 2014, by the learned Sessions Judge, Purnia, rejecting the said application for pre-arrest bail.

Heard Mr. Mritunjay Kumar, learned Counsel for the petitioners, and Mr. S. Ehteshammuddin, learned Additional Public Prosecutor, appearing for the State.

It is, now, submitted by learned counsel for the petitioners that warrants of arrest have already been issued against the petitioners and the petitioners are ready to surrender

in the Court of competent jurisdiction.

Considering the matter in its entirety and in the interest of justice, while declining to grant pre-arrest bail to the petitioners, it is made clear that if the petitioners surrender in the court of competent jurisdiction and if, upon their appearance in the court of competent jurisdiction, the petitioners apply for bail, the learned Court below shall consider and dispose of the same in accordance with law without any unreasonable delay.

With the above observations and directions, this application shall stand disposed of.

(I. A. Ansari, J)

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