

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43219 of 2015

Arising Out of PS.Case No. -38 Year- 2015 Thana -KOCH District- GAYA

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1. Binay Yadav son of Ram Jatan Yadav.
 2. Nagendra Yadav son of Ram Jatan Yadav.
 3. Ranjan Yadav son of Shiv Shankar Yadav.
 4. Kanchan Yadav @ Om Prakash Yadav son of Laxman Yadav. All residents of village Makhdumpur, P.S. Konch, District Gaya.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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CORAM: HONOURABLE MR. JUSTICE RAMESH KUMAR
DATTA
ORAL ORDER

2 03-11-2015 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners have come to this court with a prayer for grant of anticipatory bail, although in the impugned order dated 21.07.2015 passed by the learned Sessions Judge, Gaya while rejecting the anticipatory bail application of the petitioners, it was directed that they should surrender in the court below within two weeks from the date of receipt of the copy of the order and pray for regular bail whereupon the learned court below, without being prejudiced by the order, will consider the same with the defence of the petitioners including the injury reports and if the injuries caused to the informant except fracture in the arm are found to be simple in nature then may give them relief by passing

an appropriate order.

In the aforesaid view of the matter, this Court is of the view that the filing of anticipatory bail application is uncalled for and the petitioners ought to have applied for regular bail before the court below considering the terms and conditions made in the impugned order of rejection dated 21.07.2015.

Learned counsel for the petitioners submits that because of the lapse of time of two weeks as given in the order dated 21.07.2015 of the Sessions Judge, the petitioners have come up to this Court.

In the above circumstances, the anticipatory bail application is disposed of with liberty to the petitioners to apply for regular bail within a period of three weeks from today, which shall be considered by the court below in terms of the order dated 21.07.2015 passed by the Sessions Judge, Gaya.

V.P.Sinha/-

(Ramesh Kumar Datta, J)

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