

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51414 of 2015

Arising Out of PS.Case No. -2 Year- 2006 Thana -MARAUNA District- SUPAUL

- =====
1. Prameshwar Yadav @ Parmeshwar Yadav, son of Sri Kamleshwari Yadav.
 2. Kamleshwari Yadav son of Late Sainai Yadav. Both Residents of Village- Bodrahi, P.S.- Marauna, District- Supaul.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Yogendra Kumar

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

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 10-11-2015

Petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 341, 323, 307, 379/34 of the Indian Penal Code.

The accusation is of making assault.

It is submitted by learned counsel for the petitioners that on conclusion of the investigation the charge-sheet has been submitted under Sections 341, 323, 504/34 of the Indian Penal Code which is bailable but subsequently cognizance has also been taken under Section 307 of the Indian Penal Code. It is further submitted that petitioners were on police bail.

In view of the fact that petitioners were on police bail, the present anticipatory bail application is not maintainable.

Let learned Court below pass appropriate order with regard to the prayer for regular bail of the petitioners in view of the ratio laid down in the case of **Mahendra Prasad Singh versus The State of Bihar reported in 2004(3) PLJR 491**, provided that petitioners have not misused the privilege of bail.

With the observations made above, the application stands disposed off.

(Dinesh Kumar Singh, J)

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