

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38471 of 2014
Arising Out of PS.Case No. -520 Year- 2014 Thana -BHAGALPUR KOTWALI District-
BHAGALPUR

- =====
1. Md. Ahmad Ali @ Ahmad Ali
 2. Md. Asif @ Asip @ Md. Asip
 3. Md. Gulzar
 4. Md. Sarwar All are sons of Late Mahfooz Ali
 5. Guddu @ Guddoo
 6. Mintu
 7. Pintu @ Chintu Petitioner No. 5,6,7 are son of Md. Ahmad Ali All are residents of Village - Bari Khanjarpur, P.S. - Barari, District - Bhagalpur.
- Petitioner/s

Versus

1. The State of Bihar.
- Opposite Party/s
- =====

Appearance :

For the Petitioner/s : Mr. Rajive Ranjan Singh, Adv
For the Opposite Party/s : Mr. Md. A. Haque Sahara, APP

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CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER

3 17-04-2015 Heard learned counsel for the petitioners as well as

learned APP for the State.

Because of the fact that petitioner during course of investigation was on police bail, the instant petition has been found non maintainable. However, in case the petitioner surrenders before the learned lower court, then in that event, the learned lower court will, while considering the prayer for bail, take into account the principle laid down by this Court at an earlier occasion reported in **2004(3) PLJR 491**.

The instant petition is disposed of in terms thereof.

(Aditya Kumar Trivedi, J)

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