

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30387 of 2015

Arising Out of PS.Case No. -207 Year- 2013 Thana -LAURIYA District-
WESTCHAMPARAN(BETTIAH)

- =====
1. Sheikh Imteyaz Ahmad
 2. Sheikh Mustaque @ Mustaque Ahmad
 3. Sheikh Istaque @ Sheikh Isteyaque
 4. Munna
 5. Sheikh Anarul

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma, Advocate

For the Opposite Party/s : Mr. P.N.Pandit(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 31-07-2015 Heard learned counsels for the petitioners and the

State.

The petitioners are apprehending arrest in connection
with Lauriya P.S. Case No.207 of 2013 registered for the
offences punishable under Sections
143/341/323/324/307/380/452/149 of the Indian Penal Code,
pending before the learned Judicial Magistrate, 1st Class,
Bettiah, West Champaran.

It is alleged that the accused persons including the
petitioners came variously armed assaulted the informant and
others and took away cash of Rs.5000/- from the possession of
the informant.

It is submitted by learned counsel for the petitioners that petitioner is on police bail.

In that circumstance, the anticipatory bail application is not maintainable.

Let the learned Court below consider 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**.

However, it is made clear that in such circumstances when the accused is on police bail, the regular bail can only be denied, in case of misuse of privilege for bail.

With the above observation, this application is, accordingly, disposed off.

(Dinesh Kumar Singh, J)

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