

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43207 of 2014

Arising Out of PS.Case No. -68 Year- 2014 Thana -KANHAULI District- SITAMARHI

- =====
1. Sabir Mansoori Son of Aliman Mansoori
 2. Jamahir Mansoori Son of Latif Mansoori
 3. Hanif Mansoori @ Manif Mansoori Son of Latif Mansoori
 4. Sahib Mansoori @ Shahar Mansoori @ Md. Shahad Mansoori Son of Shah Md. Mansoori
 5. Hamid Mansoori Son of Aliman Mansoori

All residents of Village - Basahiya, P.S. - Kanhauli, District - Sitamarhi

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Ashhar Mustafa, Advocate

For the Opposite Party : Mr. Md. A. Haque Sahau, APP

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CORAM: HONOURABLE MR. JUSTICE I. A. ANSARI

ORAL ORDER

3 14-05-2015 This is an application, made under Section 438 of the Code of Criminal Procedure, seeking pre-arrest bail by the petitioners, namely, Sabir Mansoori, Jamahir Mansoori, Hanif Mansoori @ Manif Mansoori, Sahib Mansoori @ Shahar Mansoori @ Md. Shahad Mansoori and Hamid Mansoori, in connection with Kanhauli Police Station Case No. 68 of 2014 under Sections 147/149/323/324/448/354/504/506 of the Indian Penal Code.

Perused the above application and materials on record including a copy of the order, dated 18.09.2014, passed, in A.B.P. No. 1350 of 2014, by the learned Sessions Judge, Sitamarhi, rejecting the said application for pre-arrest bail.

Heard Mr. Ashhar Mustafa, learned Counsel for the

petitioners, and Mr. Md. A. Haque Sahau, learned Additional Public Prosecutor, appearing for the State.

In view of the fact that in terms of the provisions of Section 41(12) of the Code of Criminal Procedure, the petitioners have been released on bond, this application for pre-arrest bail is presently not pressed.

It is, however, submitted on behalf of the petitioners, that if the petitioners develops any genuine apprehension of being arrested and kept in custody, they may be given the liberty to apply afresh for pre-arrest bail. There is substantial force in the submissions so made on behalf of the petitioners.

In view of the above and in the interest of justice, while this application for pre-arrest bail is hereby disposed of as not pressed, liberty is given to the petitioners to approach this Court with appropriate application, in future, seeking pre-arrest bail if the situation so warrants.

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

(I. A. Ansari, J)

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