

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.24318 of 2016**

Arising Out of PS.Case No. -107 Year- 2004 Thana -SONO District- JAMUI

- =====
1. Johri Thakur, Son of Late Babulal Thakur.
  2. Chutari Thakur @ Krishna Thakur, Son of Late Chhathu Thakur. Both Resident of Village- Jokatiya, P.S. Sono, District Jamui.

.... .... Petitioners

Versus

1. The State of Bihar

.... .... Opposite Party

=====

**Appearance :**

For the Petitioners : Mr. Satya Prakash Parasar

For the Opposite Party : Mr. A.A.Khan (App)

=====

**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH**  
**ORAL ORDER**

5      16-08-2016                      Heard learned counsel for the petitioners and learned  
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Sono Police Station Case No. 107 of 2004, disclosing offences under Sections 341, 323, 504 and 376/34 of the Indian Penal Code.

The First Information Report was lodged in the year 2004, though the complaint petition was filed on 15.04.2001 and order for registration of First Information Report, under section 156(3) of the Cr.P.C. was made immediately, thereafter.

Petitioners filed application for anticipatory bail before the learned Sessions Judge, Jamui in the year 2008, which was rejected vide order dated 05.03.2008. The petitioners,

thereafter, did not surrender and filed another anticipatory bail application, in the year 2016 before learned Sessions Judge, Jamui. The said application has been rejected and on that background, this application has been filed.

Considering the conduct of the petitioners, this application cannot be entertained, which has been filed 12 years after lodging of the First Information Report and 8 years after the application was initially rejected, by learned Sessions Judge.

It is observed that if petitioners appear before the learned court below within four weeks from today and seek regular bail, their application for regular bail shall be considered on its own merit without being prejudiced by this order.

It is made clear that the Court, while, considering the petitioners' application in regular bail, may consider the fact that other co-accused persons have been granted regular bail.

This application stands disposed of, with aforesaid observation.

**(Chakradhari Sharan Singh, J.)**

Amit/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|