

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 50394 of 2016

Arising Out of PS.Case No. -147 Year- 2016 Thana -HARNAUT District- NALANDA
(BIHARSHARIFF)

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1. Krishnandan Yadav, son of Late Binda Singh,
2. Sarveshawarnand @ Lal Yadav @ Sharvesbarnand son of Krishnandan Yadav
Both are Resident of Village – Kichni, P.S. – Harnaut, District – Nalanda.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Anuj Kumar

For the Opposite Party/s : Mr. Madan Kumar

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2. 23-11-2016 Heard Sri Anuj Kumar, learned counsel for petitioners
and Sri Madan Kumar, learned Addl. Public Prosecutor.

This is the 2nd attempt for grant of anticipatory bail on behalf of the petitioners. Earlier, petitioners had approached this Court by filing an application, vide Cr. Misc. No. 39201 of 2016, which was heard on 27-09-2016. On the said date, the Court was not inclined to extend the privilege of anticipatory bail and wanted to dismiss the bail petition. Thereafter, learned counsel, who was appearing on behalf of petitioners, sought permission to withdraw the petition so that petitioners may appear before the court below and make a prayer for regular bail. After such statement was made by learned counsel for petitioners, the Court took lenient view and instead of outrightly dismissing the petition, the Court permitted to

withdraw the petition. This is the second attempt for the same relief.

Fact remains that petitioners are named as accused in Harnaut P.S.Case No. 147 of 2016 registered for offences under Sections 147, 148, 149, 171(C), 171(E), 188, 341, 342, 323, 332, 333, 337, 338, 307, 353, 395 of the Indian Penal Code, Section 27 of the Arms Act, 1959 and Section 130 of Bihar Panchayat Raj Act, 1993. Since, earlier petition for anticipatory bail was not entertained and dismissed, there is no point to reconsider the present petition.

The present petition stands dismissed.

While dismissing the present petition, it is desirable to direct the concerned Superintendent of Police to take appropriate step, as to under what circumstances, even after withdrawal of the anticipatory bail petition of both the petitioners namely Krishnandan Yadav and Sarveshawarnand @ Lal Yadav @ Sharvesbarnand, they are still at large.

Let a copy of this order be sent to the concerned Superintendent of Police for taking appropriate step.

(Rakesh Kumar, J.)

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