

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40590 of 2016

Arising Out of PS.Case No. -59 Year- 2014 Thana -BHAWANIPUR District- PURNIA

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1. Raghubansh Singh, son of Late Ram Sakal Singh
2. Soni Kumari @ Sonam Kumari, D/o Raghuabansh Singh
3. Vishwajeet Singh, son of Haribansh Singh. All are residents of Village -
Sadikpur, P.S. - Barh, District - Patna.
4. Chandan Kumar Singh, son of Ganga Prasad Singh, resident of Village -
Nautoli, P.S. - Biroul, District – Darbhanga Petitioner/s
Versus

The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sada Nand Roy, Advocate
For the Opposite Party/s : Mr. Sri Ataur Rahman, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 23-09-2016 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application for grant of anticipatory bail arises out of Bhawanipur P.S. Case No. 59 of 2014, disclosing offence under Sections 406, 409, 420, 467, 468, 471 and 120B/34 of the Indian Penal Code.

This is the second attempt on behalf of the petitioners to seek anticipatory bail. Earlier their application was rejected by the order dated 15.04.2015 passed in Criminal Miscellaneous No. 43822 of 2014. Against the said order, dated 15.04.2015, the petitioners had filed SLP (Cri) No. 7766 of 2015, which stood dismissed by an order dated 21.09.2015.

Learned counsel for the petitioners has submitted that in the

meanwhile, the amount alleged to have been misappropriated, has been paid by the main accused Kumar Kanhaiya, who has been granted regular bail.

Be that as it may, since the petitioner's application for anticipatory bail was earlier rejected by this Court and their S.L.P. in the Supreme Court also came to be dismissed, I am not inclined to entertain this application.

Accordingly, this application for anticipatory bail is, hereby, rejected.

The petitioners are directed to surrender before the court below within four weeks from today and seek regular bail, if so advised. If they do so, their application for regular bail shall be considered on its own merit without being prejudiced by rejection of present application for grant of anticipatory bail.

It is indicated that learned court below while considering the petitioners' application for regular bail may take into account the fact that other accused, namely, Kumar Kanhaiya has been granted regular bail.

(Chakradhari Sharan Singh, J)

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