

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12693 of 2016

Arising Out of PS.Case No. -201 Year- 2014 Thana -KUMARGHAND District- MADHEPURA

- =====
1. Surendra Yadav
 2. Sushil Kumar Yadav @ Sushil Kumar

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bam Bahadur Jha

For the Opposite Party/s : Mr. Nitya Nand Tiwari(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

02/ 18-03-2016

Heard learned counsels for the petitioners

and the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 150, 341, 342 and 353 of the Indian Penal Code.

The prosecution case is that the FIR named accused persons including the petitioners along 250-300 unknown entered into the Block Office and they damaged the furniture and abused the employees of the Block office.

It is submitted by learned counsel for the petitioners that the accusation is against the mob and petitioners were on bail, statement to that effect has been made in paragraph 10 of the petition, which reads as follows:-

“That, after institution of the case, the petitioners were summoned by the police.

Being a law abiding citizen they appeared before the local police and after appearance they were asked to furnish personal bond accordingly personal bond furnished. After furnishing the bond the petitioners were released from the police station.”

In that view of the matter, the present 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 Vs. State of Bihar, reported in 2004(3) PLJR, 491, if the petitioners surrender before the learned court below within a period of six weeks from today in connection with Kumarkhand P.S. Case No. 201 of 2014 pending in the court of learned Additional Chief Judicial Magistrate, Madhepura.

With the aforesaid observation, this application is disposed of.

(Dinesh Kumar Singh, J)

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