

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8924 of 2016

Arising Out of PS.Case No. -125 Year- 2015 Thana -KOPA District- SARAN

- =====
1. Narendra Yadav,
 2. Vijay Yadav @ Vijay Kumar Yadav
Both sons of Late Ram Janam Yadav,
 3. Saroj Kumar Yadav Son of Sri Narendra Yadav

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jai Kishore Sharma, Advocate

For the Opposite Party/s : Mr. Parmanand Pd.(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 25-02-2016 Heard learned counsels for the petitioners and the

State.

The petitioners are apprehending arrest in a case registered for the offences punishable under sections 420/406/409/34 of the Indian Penal Code.

Prosecution case is that the petitioners persuaded the informant and 17 others to invest money in some non-banking financial organization, on promise to provide good interest on the invested amount, as a result, the informant invested some amount but neither principle amount was returned nor the interest was given.

It is submitted by learned counsel for the petitioners that petitioners were on police bail but now due to submission

of final form (charge-sheet) they are apprehending arrest. A statement to that effect has been made in paragraph 10 of the petition which reads as follows :-

"10. That the petitioners are already on police, bail which has been duly incorporated in paragraph no.38 of the Case Diary, but after submission of charge-sheet, they are apprehending their arrest."

In view of the above statement, the present application is not maintainable.

However, let the learned Court below consider the prayer for regular bail of the petitioners, if the petitioners surrender within a period of six weeks in connection with Kopa P.S. Case No.125/2015, pending before the learned CJM, Chapra at Saran in view of the ration laid down in the case of ***Mahendra Prasad Singh Vs. State of Bihar reported in 2004 (3) PLJR 491.***

With the above observation, this application is, accordingly, disposed off.

(Dinesh Kumar Singh, J)

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