

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13548 of 2016

Arising Out of PS.Case No. -33 Year- 2015 Thana -PIYAR District- MUZAFFARPUR

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1. Ravindra Sahni, S/o Sri Jaikant Sahni
2. Ritu Devi, W/o Ravindra Sahni
Both resident of Village- Patsara, P.S.- Piar (Hatha O.P.) District
Muzaffarpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Chandra Shekhar Anand, Adv.

For the Opposite Party/s : Mr. Md. A.Haque Sahara, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 12-04-2016

Heard.

The petitioners have filed the present application under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail in a criminal prosecution registered under Sections 406, 420, 467, 468, 354B and some other allied offences under the Indian Penal Code.

Indisputably, the petitioners are on police bail as has been mentioned in the impugned order passed by the learned Sessions Judge as also in paragraph 10 of the present anticipatory bail application.

In above view of the matter, the present petition filed under Section 438 Cr.P.C. for grant of anticipatory bail is not maintainable. Hence, their prayer for grant of anticipatory bail in connection with Piar (Hatha O.P.) P.S. Case No.33 of 2015 pending in the court of learned A.C.J.M.-cum-Sub-Judge-Vth, Muzaffapur is rejected.

However, if they surrender in the court below within

a period of four weeks from today and apply for regular bail, then the same shall be considered and decided in accordance with law and they shall be given benefits of the observations made by this Court in the case of **Mahendra Prasad Singh Vs. The State of Bihar [2004 (3) PLJR 591]** particularly paragraph 5.

The application stands finally disposed of with the observations and directions made above.

(Birendra Prasad Verma, J)

Arvind/-

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