

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26937 of 2016

Arising Out of PS.Case No. -13 Year- 2015 Thana -SAMASTIPUR GRP CASE District-
SAMASTIPUR

- =====
1. Sanjeet Rai @ Sanjeet Kumar @ Sanjit Rai @ Sanjit Kumar, s/o Radha Mohan Rai
 2. Deepak Rai @ Deepak Kumar Roy, S/o Bikku Rai
 3. Sumit Rai @ Sumit Kumar, S/o Nathuni Rai.
- All 1-3 are residents of Village Rambhadrapur, P.S. Kalyanpur, District - Samastipur.
4. Bhikhari Rai @ Pravesh Kumar, S/o Ram Udesb Rai, Resident of Village Ratwara, P.S. Kalyanpur, District - Samastipur.

.... Petitioners

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Bijay Bhushan Prasad

For the Opposite Party/s : Mr. Humayou Ahmad Khan

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 05-07-2016

Heard learned counsel for the petitioners and
learned counsel for the State.

In this case, the petitioners are seeking anticipatory
bail in connection with GRP(SPJ) P.S. Case No.13 of 2015 (T.R.
No.1189 of 2015), registered for the offence punishable under
Sections 341, 323, 379, 354, 509 and 504/34 of the Indian
Railways Act.

As per the case of the petitioners the police called
them on notice under Section 41 of the Criminal Procedure Code.
In pursuance to the aforesaid notice, they appeared and they have

been released on PR bonds.

The petitioners have already surrendered before the police, so the question of anticipatory bail does not arise as it is not maintainable in view of the observations given in the case of ***Mahendra Prasad Singh vs. State of Bihar***, reported in ***2004(3) PLJR, 491***.

If the petitioners surrender before the Court below within three weeks from today and pray for bail, the court below will consider the application on the same day and pass order in accordance with law.

(Shivaji Pandey, J)

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