

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15289 of 2016

In
Criminal Miscellaneous No. 11710 of 2016

- =====
1. Durgesh Kumar son of Sri Karan Prasad
 2. Bhawesh Kumar son of Sri Karan Prasad
 3. Mukesh Kumar son of Sri Karan Prasad
- All are resident of village Hajiapur, Ward No.27, P.S.Gopalganj,
District Gopalganj

.... Petitioner/s

Versus

1. The State of Bihar
2. The Branch Manager, State Bank of India, Main Branch, Gopalganj

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Naresh Prasad, Advocate

For the Opposite Party No.2 : Mr. Sunil Kumar Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 08-04-2016

Heard.

The present application has been filed on behalf of the petitioners for restoration of Cr.Misc.No. 11710 of 2016 which was filed for grant of anticipatory bail to the petitioners and stood dismissed for want of prosecution by order dated 17.03.2016.

This Court is of the considered opinion that instead of restoring the aforesaid Cr.Misc.No. 11710 of 2016 to its original file, the interest of justice shall be subserved if the petitioners are granted liberty to file a fresh anticipatory bail application in the same subject matter after bringing on record all the subsequent developments, which might have taken place during interregnum period and further if the petitioners have not been apprehended in the meanwhile. It is ordered accordingly.

If a fresh anticipatory bail application on behalf of the petitioners is filed in connection with Gopalganj (Town) P.S.Case No. 478 of 2014 pending in the court of Chief Judicial Magistrate,

Gopalganj, the same shall be considered on its own merit without being prejudiced by order dated 17.03.2016 passed in Cr.Misc.No. 11710 of 2016.

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

(Birendra Prasad Verma, J)

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