

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11009 of 2017

Arising Out of PS.Case No. -184 Year- 2016 Thana -BIBHUTIPUR District- SAMASTIPUR

- =====
1. Radhe Mishra @ Vinod Kumar Mishra Son of Late Ram Yatan Mishra
 2. Ravi Shankar Mishra Son of Radhe Mishra @ Vinod Kumar Mishra
 3. Deepak Mishra @ Deepak Kumar Son of Radhe Mishra @ Vinod Kumar Mishra
 4. Shri Ram Mishra Son of Late Ram Yatan Mishra all, Resident of Village- Kalyanpur South Tola Saraiya, P.S. Bibhutipur, Distict- Samastipur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr Jitendra Narain Sinha, Advocate

For the Opposite Party/s : Smt Renuka Ratnakar, APP

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CORAM: HONOURABLE MR JUSTICE VINOD KUMAR SINHA

ORAL ORDER

2 22-03-2017

Heard learned counsel for the petitioner.

This is a second attempt made by the petitioners for grant of anticipatory bail in connection with Bibhutipur Police Station Case No 184 of 2016 registered for the offence under Sections 341, 323, 324, 354, 379, 504/34 of the Indian Penal Code.

It has been submitted by the petitioners that earlier the petitioners moved for anticipatory bail and this Court, vide order dated 16.12.2016 passed in Cr Misc No 45551 of 2016, has rejected the prayer for anticipatory bail of the petitioners with observation that petitioners will surrender before the Court below



within a period of four weeks, make prayer for regular bail and the Court below, after considering the aspect that there is case and counter case between the parties as well as all the injuries are alleged to be simple except that of Murari Mishra about which opinion was reserved and after verifying the injury report, dispose of the application for bail on the same day.

Heard also the learned APP.

The petitioners have not surrendered before the Court below and again moved for anticipatory bail before this Court stating that the injuries are simple in nature. This petition does not appear to be proper, once order had been passed with observation, petitioner had to comply the same.

As such, let petitioners surrender before the Court below within a period of two weeks from today and pray for bail which will be considered on the basis of the observations already made in order dated 16.12.2016 passed in Cr Misc No 45551 of 2016.

This application is, accordingly, dismissed.

(Vinod Kumar Sinha, J)

M.E.H./-

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